

Agenda
Planning and Policy Committee
West Olive Administration Building – Board Room
12220 Fillmore Street, West Olive, Michigan 49460
Thursday, July 14, 2011
9:30 AM

Consent Items:

1. Approval of the Agenda
2. Approval of June 9, 2011 Planning and Policy Committee Meeting Minutes

Action Items:

3. Ottawa County Michigan Works! Procurement Policy
Suggested Motion:
To receive, forward to the Board of Commissioners, and acknowledge the use of the “Ottawa County Michigan Works! Procurement Policy” as a procedural supplement to the Ottawa County Purchasing Policy with regard to the operations of the Ottawa County Michigan Works! Agency.
4. Fund Balance Policy
Suggested Motion:
To approve and forward to the Finance and Administration Committee the Fund Balance Policy for review and comment.

Discussion Item:

5. New Administrative Rule (See Attachment)
6. Procedural Updates to Policies (See Attachments)
7. Update on Alcohol Use at Weaver House
8. Closed Session to Discuss Property Acquisition
Suggested Motion:
To go into closed session for the purpose of discussing property acquisition.
(2/3 roll call vote required)

Adjournment

Comments on the day’s business are to be limited to three (3) minutes.

PLANNING & POLICY COMMITTEE

Proposed Minutes

DATE: June 9, 2011

TIME: 9:30 a.m.

PLACE: Fillmore Street Complex

PRESENT: Dennis Swartout, Jane Ruiter, Stu Visser, Roger Rycenga

ABSENT: James Holtvluwer

STAFF & GUESTS: Alan Vanderberg, Administrator; Sherri Sayles, Deputy Clerk; John Scholtz, Parks & Recreation Director; Greg Rappleye, Corporate Counsel; Keith Van Beek, Assistant Administrator, Adam Kantrovich, MSU Extension

SUBJECT: CONSENT ITEMS

PP 11-027 Motion: To approve the agenda of today as presented and to approve the minutes of the May 12, 2011, meeting as presented.

Moved by: Visser

UNANIMOUS

SUBJECT: RESOLUTION AND LEASE AGREEMENT –
WEST MICHIGAN AGRICULTURAL
EDUCATION CENTER

PP 11-028 Motion: To approve and forward to the Board of Commissioners the “Resolution of Benefit” and the proposed “Lease Agreement” Between the County of Ottawa and the West Michigan Agricultural Education Center, for a portion of the Eastmanville Farm Park.

Moved by: Swartout

UNANIMOUS

SUBJECT: LEASE OF FARMLAND AND LEASE
ASSIGNMENT – MEERMAN ACREAGE AT
EASTMANVILLE FARM

PP 11-029 Motion: To approve/ratify the Lease of Farmland of certain acreage at the Eastmanville Farm to Luke Meerman, and to approve/ratify the Lease Assignment of the County’s interest in that Lease of Farmland to the Ottawa County Agricultural Education Center.

Moved by: Ruiter

UNANIMOUS

SUBJECT: OLIVE SHORES GRANT AGREEMENT

PP 11-030 Motion: To approve and forward to the Board of Commissioners the Resolution accepting the terms of the grant agreement with the Michigan Department of Natural Resources for the Olive Shores Park Improvement Project.

Moved by: Swartout

UNANIMOUS

SUBJECT: DISCUSSION ITEMS

1. Allendale Board Correspondence – The Administrator has been receiving a lot of correspondences regarding Dave Morren driving his farm equipment through a subdivision in Allendale. The Committee stated that Administration has been using the right approach in answering these.
2. John Scholtz presented a brief Musketawa Trail update.

SUBJECT: ADJOURNMENT

The meeting adjourned at 9:56 a.m.

Action Request



Committee: Planning and Policy Committee

Meeting Date: 7/14/2011

Requesting Department: Administration

Submitted By: Greg Rappleye

Agenda Item: Ottawa County Michigan Works! Procurement Policy

SUGGESTED MOTION:

To receive, forward to the Board of Commissioners, and acknowledge the use of the "Ottawa County Michigan Works! Procurement Policy" as a procedural supplement to the Ottawa County Purchasing Policy with regard to the operations of the Ottawa County Michigan Works! Agency.

SUMMARY OF REQUEST:

The Ottawa County Michigan Works! Agency (OCMWA) is required to utilize a procurement policy which contains certain specific procedural requirements. As part of the revision process for both the OCMWA Policy, and the Ottawa County Purchasing Policy, we have prepared the above motion for the Board to recognize the particular application of the OCMWA Purchasing Policy with regard to the operation of OCMWA.

FINANCIAL INFORMATION:

Total Cost: \$0.00 | General Fund Cost: \$0.00 | Included in Budget: Yes | No

If not included in budget, recommended funding source:

ACTION IS RELATED TO AN ACTIVITY WHICH IS:

Mandated | Non-Mandated | New Activity

ACTION IS RELATED TO STRATEGIC PLAN:

Goal: 4: To Continually Improve the County's Organization and Services.

Objective: 1: Review and evaluate the organization, contracts, programs, systems, and services for potential efficiencies.

ADMINISTRATION RECOMMENDATION: Recommended | Not Recommended | Without Recommendation

County Administrator: **Alan G. Vanderberg**

Digitally signed by Alan G. Vanderberg
DN: cn=Alan G. Vanderberg, o=US, ou=County of Ottawa, ou=Administrator's Office, email=avanderberg@countyofo.com
Reason: I am approving this document
Date: 2011.07.06 14:52:20 -0400

Committee/Governing/Advisory Board Approval Date:

Ottawa County Michigan Works! Procurement Policy

SUBJECT: PROCUREMENT AND PROPERTY MANAGEMENT POLICY

APPLICATION: OTTAWA COUNTY MICHIGAN WORKS! AGENCY

BACKGROUND: This policy adopts and applies the uniform administrative requirements for procurement of equipment, supplies, and/or services utilizing any Department of Energy, Labor and Economic Growth (DELEG) funding source. In addition, it clarifies the requirement for prior approval of the procurement of capital assets in excess of \$25,000.

POLICY:

A. GENERAL

In compliance with DELEG PI 04-03 and OMB Circular A-102, Ottawa County Michigan Works (OCMWA) will maintain a written procurement policy, which shall apply in the selection of service providers and vendors for all procurement utilizing DELEG funds. All procurements utilizing DELEG funding sources will comply with this policy, specific grant requirements, applicable OMB circulars, and regulations specific to the funding source(s) used. All procurements utilizing non-DELEG funding sources will comply with the specific requirements imposed by the funding source. In the absence of detailed procurement rules and procedures, all procurements shall comply with this policy. OCMWA and its officials, officers, employees and agents shall conduct procurement procedures in such a manner that provides full and open competition.

B. DEFINITIONS

Capital Expenditures - Expenditures for the acquisition cost of capital assets (which includes equipment, buildings, land), or expenditures to make improvements to capital assets that materially increase their value or useful life. Acquisition cost means the cost of the asset including the cost to put it in place.

Equipment - Property with a per unit acquisition cost of \$5000 or more and having a life of one year or more. Property includes computer software acquisitions if the per unit acquisition cost is \$5000 or more.

C. CAPITAL EXPENDITURES

DELEG has delegated the authority to procure equipment **up to \$25,000** to the Michigan Works Agencies (MWAs). Although this authority rests in the OCMWA, all equipment procurements, regardless of cost, are only allowable costs if they are necessary and reasonable for proper and efficient performance and administration of the grant award. OCMWA may not divide procurements into separate orders (transaction splitting) with the intent to stay within this delegated authority.

Procurement of equipment and capital improvements **in excess of \$25,000** are subject to approval by DELEG. The OCMWA's request for approval should include at a minimum the following applicable information:

1. A description of the proposed capital improvement or equipment to be procured.
2. A discussion of how the proposed capital improvement or equipment will benefit the OCMWA's program(s).
3. The expected cost of the procurement with a cost or price analysis.
4. A copy of the technical specifications or other pertinent information given to prospective bidders that explains in sufficient detail what is being procured.
5. Copies of at least **three** bids secured by using the competitive bid process with the preferred bid indicated. If the preferred bid is not the lowest bid, the reason for selection should be noted. If only one bid is secured, a brief description of the competitive procurement efforts made. And, if sole source procurement will be utilized, documentation that gives the rationale for sole source acquisition is required.
6. For a capital improvement, the date it will begin, when it will be completed, the location of the building, and the site.

Please submit the above information, along with a cover letter requesting approval, to:

Mr. Ted De Leon, Division Director
Reporting and Monitoring Division
Office of Workforce Development
Michigan Department of Labor & Economic Growth
201 N. Washington Square, 5th Floor
Lansing, Michigan 48913

No procurement of equipment or capital improvements in excess of \$25,000 can be made prior to the date of approval.

Construction or Purchase of Facilities is prohibited **under the grants administered by DELEG with limited exceptions.**

Workforce Investment Act (WIA) Title I Funds may be spent on construction or purchase of facilities:

1. To meet a grant recipient's obligation to provide physical and programmatic accessibility and reasonable accommodation, as required by section 504 of the Rehabilitation Act of 1973, as amended, and the Americans With Disabilities Act of 1990
2. To fund repairs, renovations, alterations, and capital improvements of property, including:

- a. SESA real property, identified at WIA Section 193.
 - b. Job Training Partnership Act owned property which was transferred to WIA Title I programs.
3. Job Corp facilities, as authorized by WIA Section 160 (3) (B).

Trade Adjustment Assistance funds can only be used to procure real property if approved in advance by the Grantor agency U. S. Department of Labor.

Repairs and alterations are considered current operating costs and are allowable.

D. STANDARDS PROHIBITING CONFLICT OF INTEREST

This written code of standards of conduct is applicable to all OCMWA staff, Workforce Development Board (WDB) members, and their agents for all procurements.

1. Individuals on the Workforce Development Board shall avoid any appearance of a conflict of interest.

No employee, officer or agent of the WDB (including, as applicable, Workforce Development Board members or Youth Council members) or of the OCMWA, shall participate in selection, or in the award or administration of a contract supported by Federal funds if a conflict of interest, real or apparent, would be involved. Such a conflict would arise when:

- (i) The employee, officer, or agent;
- (ii) Any member of his or her immediate family;
- (iii) His or her partner; or
- (iv) An organization, which employs, or is about to employ, any of the above, has a financial or other interest in the firm selected for award.

The officers, employees, and agents of the WDB or OCMWA will neither solicit nor accept gratuities, favors or anything of monetary value from contractors, potential contractors, or parties to subagreements. The grantee and subgrantees may set minimum rules where the financial interest is not substantial or the gift is an unsolicited item of nominal intrinsic value.

Officers, employees, and agents of the WDB or OCMWA who violate these Standards of Conduct will be subject to sanctions including termination of employment or office.

Non compliance with this policy will result in penalties to Subcontractors which will include disallowed costs and/or termination of the contract.

E. NON-DISCRIMINATION

Every contract or purchase order issued by the OCMWA or WDB, their officials, employees, or agents shall be entered into under provisions which require the contractor, subcontractor or vendor not to discriminate against any employee or applicant for employment with respect to hire, tenure, terms,

conditions or privileges of employment, or a matter directly or indirectly related to employment or participation because of race, color, religion, national origin, age, sex, disability, height, weight, marital status, political affiliation, beliefs, or citizenship. Providers will be required to post such information at their location and shall ensure that all employees or customers are aware of this information.

F. **STANDARDS FOR ALL PROCUREMENTS**

These standards are applicable to all OCMWA staff, Workforce Development Board (WDB) members, and their agents for all procurements.

1. **Competition.**

In order to ensure that unfair requirements are not placed on procurement procedures, the following situations that are considered restrictive of competition are to be avoided:

- Placing unreasonable requirements on firms or organizations in order to qualify to do business,
- Requiring unnecessary experience and/or excessive bonding,
- Noncompetitive pricing practices between firms or organizations or between affiliated companies or organizations,
- Noncompetitive awards to consultants that are on retainer contracts,
- Awards that would create organizational conflicts of interest,
- Specifying brand name products instead of allowing a similar product of equal quality and describing the performance of other relevant requirements of the procurement,
- Overly restrictive specifications, and
- Any arbitrary action in the procurement process.

All proposed procurements will be reviewed per The Common Rule (29 CFR 97.36(b)(4)) to avoid purchase of unnecessary or duplicative items. The most economical procurement will be given favor (i.e., lease vs. purchase, etc.).

Records sufficient to detail the significant history of all procurements shall be retained. These records will document each step of the procurement process described below including, but not limited to, the rationale for the method of procurement, selection of contract type, contractor selection or rejection criteria, and the basis for the contract price, including the independent estimate of price.

OCMWA shall promote the use of intergovernmental agreements for procurement or use of common goods and services, as well as, the use of Federal excess and surplus property wherever possible.

OCMWA shall ensure that all pre-qualified lists of persons, firms, etc. used in acquiring goods and services are current and include enough qualified sources to ensure maximum open and free competition.

The OCMWA will be responsible for the settlement of all contractual and administrative issues arising out of procurements. These include, but are not limited to, source evaluation, protests, disputes, and claims. Violations of law will be referred to the appropriate local, State, or Federal agency having jurisdiction.

When it is impractical to initially prepare a purchase description for an award based on price, and/or where the capability of the prospective proposers or bidders are uncertain, a **Request for Qualifications (RFQ)** may be issued. Once the prospective bidders/offerors have submitted their responses to the RFQ and have been determined to be technically acceptable and qualified to perform, then an invitation to bid or RFP may be issued to the qualified bidders/offerors.

2. **Competitive Procurement**

- Solicitations will include a clear and accurate description of the technical requirements for the goods or services to be procured.
- Solicitations will include a description, whenever practicable, of technical requirements in terms of functions to be performed or performance required, including the range of acceptable characteristics or minimum acceptable standards.
- Solicitations will include the specific features of “brand name or equal” descriptions that bidders are required to meet when such items are included in the solicitations.
- For all procurements in excess of \$25,000 **formal procedures** are to be used. Formal procurement procedures approved for using DELEG funding sources are the following:
 - **Sealed bids** are publicly advertised and solicited from at least two or more vendors. A firm fixed-priced (either lump sum or unit price) contract is awarded to the responsible bidder whose bid complies with all the material terms and conditions of the Invitation To Bid (ITB) and is the lowest in price. In order for sealed bidding to be feasible, the following conditions should be present: (1) a complete, adequate, and realistic specification or purchase description is available; (2) two or more responsible bidders are willing and able to compete effectively for the business; and (3) the procurement may

be made principally on the basis of price. An independent cost estimate shall be made before any bids are received. The invitation to bid shall include any specifications and pertinent attachments bidders must fulfill and all other factors to be used in evaluating bids or proposals, and shall define the items or services in order for the bidder to properly respond. Bidders shall be allowed sufficient time to submit their bids. All bids shall be publicly opened at the time and place prescribed in the invitation for bid.

- **Competitive proposals** are conducted with more than one source submitting an offer, when lowest price is not necessarily the determining factor for an award, and either a fixed-price or cost-reimbursement agreement will be awarded. The evaluation factors often focus on approach, program design, innovation, coordination, and experience. An independent cost or price estimate should be made before proposals are received. Requests for Proposals (RFPs) are publicly advertised and contain the specifications that provide a common understanding for the proposed goods or services sought and identify all the evaluation factors and their relative importance or weight in selection of successful bidders. Proposals are solicited from an adequate number of qualified sources. The method for conducting technical evaluations of proposals and selection of awardees set forth later in this policy shall be followed. Awards are made to the responsible offer whose proposal is most advantageous to the program with respect to price, technical, and other factors considered.

- **Informal procurement procedures** are appropriate only when price is the overriding factor and may be easily quoted and compared, delivery is standardized, and performance outcomes are not dependent upon the content of the goods being procured. Informal procurement procedures may be conducted for small purchase procurement of property or services under \$25,000 in the aggregate. MWAs shall not break down one purchase into several purchases merely to be able to use small purchase procedures. Documentation of price rates or quotes shall be maintained from at least three (3) qualified sources.

3. **Non-Competitive (Sole Source) Procurement:** —Sole source procurement through a proposal from only one source or after a determination that competition is inadequate shall be **minimized, justified, and documented**. Documentation shall include a justification for utilizing non-competitive procurement. This procedure may be **used only** when the award is not feasible under competitive procedures due to one of the following circumstances:

- The item or service is only available from a single source; or

- When there is a public emergency need for the item or service which does not permit a delay resulting from using competitive procedures; or
- After solicitation of a number of sources, only one bid is received and/or competition is determined inadequate.

A cost analysis is required for all noncompetitive procurement actions. This entails verification of the proposed cost data and evaluation of the specific elements of costs and profits, including comparison with the agency's prior independent cost or price estimate.

4. **Deliverables and Basis for Payment**—Each procurement shall clearly specify deliverables and the basis for payment.
5. **Small, Minority, and Women Owned Businesses**—The following affirmative steps are to be taken to ensure that minority firms, women's business enterprises, and labor surplus area firms are used when possible:
 - Placing qualified small, minority, and women's businesses on solicitation lists;
 - Ensuring that small, minority, and women's businesses are solicited whenever they are potential sources;
 - Dividing total requirements when economically feasible into smaller tasks or quantities to permit maximum participation by small, minority, and women's businesses;
 - Establishing delivery schedules, where the requirements permit, which encourage participation by small, minority, and women's businesses;
 - Using the services and assistance of the United States Small Business Administration and the Minority Business Development Agency of the United States Department of Commerce; and
 - Requiring the prime contractor, if subcontracts are to be let, to take the same affirmative steps.
6. **Requirements**—Where appropriate, an analysis will be made of lease versus purchase alternatives, and any other analysis to determine the most economical approach. Procurements with DELEG funds are to be covered by a written contractual agreement. Leases must contain the following:
 - The agency or organization name and business address of the lessee and the lessor;
 - The signatures of authorized representatives of both the lessee and the lessor;

- The effective dates of the agreement (beginning and ending dates);
- Specific items covered by the agreement, i.e., address of the facility, quantity and description of equipment items, quantity and type of motor vehicles, specific maintenance and operating costs which are included or excluded;
- Insurance costs;
- Lease insurance for motor vehicles, if applicable; and
- Conditions for termination of the lease without penalty costs should federal funds become unavailable.

7. **Cost or Price Analysis**—A cost or price analysis shall be performed for every procurement action, including contract modifications, except those, which have no monetary impact.

Cost analysis is necessary when the offeror is required to submit the elements of the estimated costs, or when adequate price competition is lacking. Cost analysis is also required for all sole source procurement.

Cost analysis is the review and evaluation, element by element, of an agency's proposal. Contract cost analysis is the element-by-element examination of costs and related information presented in the cost and pricing data offerors submit.

Price Analysis shall be used when price reasonableness can be established on the basis of the catalog or market price of a product or is based on prices set by law or regulation. Price analysis is the process of examining and evaluating a price without looking at individual cost elements. The focus is the "bottom-line" price. The method and degree of the analysis depends on the particular procurement and pricing situation. At a minimum, the awarding agency shall make independent estimates before receiving bids or proposals.

A certification should be submitted by the offeror to the OCMWA, stating that the cost data is accurate, complete, and current at the time of agreement, in all cases where a cost analysis is necessary and there is inadequate price competition. Awards or modifications negotiated in reliance on such data should provide the OCMWA a right to a price adjustment to exclude any significant sum by which the price was increased in cases there the awardee had knowingly submitted data that was not accurate, complete, or current as certified.

8. **Selection of Service Providers**—The primary consideration in selecting agencies or organizations to deliver services within a local area shall be the effectiveness of the agency or organization in delivering comparable or related services based on demonstrated performance, in terms of the likelihood of meeting performance goals,

cost, quality of training, and characteristics of participants. The selection of service providers shall be made on a competitive basis to the extent practicable, and shall include a determination of the ability of the service provider to meet program design specifications established by the administrative entity that take into account the purposes and goals of the specific program.

In compliance with Section 104 of PRWORA, the Charitable Choice provision, MWAs are to consider religious organizations on an equal, nondiscriminatory basis with the other groups when deciding to contract with private institutions for welfare services funded by TANF or Food Assistance programs.

9. **Debarred and Suspended Parties**—OCMWA shall not contract with any party which is debarred or suspended or is otherwise excluded from, or ineligible for, participation in federal assistance programs. A party's eligibility for participation in federal assistance programs can be determined by accessing the Federal Excluded Parties Listing System located on the Internet at <http://epls.arnet.gov>. For each procurement, OCMWA and all its purchasing agents shall access, print and retain documentation from this website as evidence that OCMWA checked to ensure that award assistance was not extended to listed parties in violation of this requirement.
10. **Procedures for Reviewing Proposals**— OCMWA will review all proposals to ensure that awards are made only to responsible contractors possessing the ability to perform successfully under the terms and conditions of a proposed procurement. Consideration will be given to such matters as contractor integrity, compliance with public policy, record of past performance, and financial and technical resources.

All proposals will be rated by a review team that includes Workforce Development Board members and OCMWA staff. Recommendations from this committee will be forwarded to the full Workforce Development Board. If the Workforce Development Board approves the committee proposal, OCMWA staff will then complete contract negotiations with the selected provider.

The selection of a proposal for contract award is to be made after a careful evaluation of the proposals received by members of the Review Team. Each proposal will be evaluated for acceptability with emphasis on compliance with submission factors, program design or scope of work, organizational capabilities, specific program requirements, and cost effectiveness or budget, assigning to that factor a numerical weight. These proposal ratings will be used to formulate the committee's funding recommendations for the Workforce Development Board.

All proposals will be submitted to a cost/price analysis and a separate price analysis.

Additionally, any new proposer may be subject to an on-site visit and pre-award survey conducted by OCMWA staff. If the proposal/proposer is not able to successfully complete these steps, the proposal will be deemed ineligible.

11. **Protest Procedures** - Within seven (7) calendar days after a funding decision has been rendered by the OCMWA, the Proposer must submit a request in writing that the proposal receive a second review. There will be no second review process for proposals that are: submitted late, non-compliant or incomplete. Further, appeals may not dispute the scores received by the petitioning agent or the scores assigned to a competing agency; all scores are final and not subject to appeal. In order for an appeal to have merit it must show that any substantial portion of the RFP process was violated. Only appeals that can cite specific section(s) of the RFP that have been violated will be considered. The request for the second review must be received by the OCMWA no later than close of business on the seventh day after the decision has been rendered (if seventh day falls on a Saturday or Sunday then it must be received by close of business on the following Monday).

The appeal, after being reviewed by the OCMWA Director for merit, will be sent on to the appropriate committee/council and if they agree to its merits it will then be sent to the WDB. The proposer will be notified by writing within five (5) working days following the WDB meeting on the disposition of the appeal. All decisions by the WDB will be final.

Complaints arising out of the administration of any contract shall be resolved in accordance with the OCWDB Complaint and Grievance Policy.

12. **CONTRACT ADMINISTRATION:** OCMWA shall maintain a system for contract administration to ensure that contractors and other suppliers comply with terms, conditions, and performance requirements of contracts (including purchase orders), and to ensure adequate and timely follow-up of all purchases.

G. **PROPERTY MANAGEMENT STANDARDS:**

1. **Record Retention**—All pertinent property disposition records and supporting documentation shall be maintained for a period of three years. The retention period begins on the date of DELEG’s acceptance of the final closeout report for the grant or contract. Records for nonexpendable property shall be retained for a period of three years after final disposition of the property. Records shall be retained beyond the three years if any litigation or audit is begun or if a claim is instituted involving the grant or agreement covered by the records. In these instances, the records shall be retained until the litigation, audit, or claim has been finally resolved.
2. **Property Maintenance**—Adequate maintenance procedures must be developed to keep the property in good condition. This includes securing pertinent warranties, following manufacturers recommended procedures for maintenance, and providing adequate care.

3. **Vestment of Title**—Title to equipment with an acquisition cost of \$5000 or more is to be vested in the OCMWA or with the subcontractor as determined by the OCMWA. Vestment of title is contingent upon the OCMWA's operation of applicable programs. Title to equipment will transfer to DELEG upon the OCMWA's termination of applicable programs.
4. **Inventory Requirements**—OCMWAs is responsible for the maintenance of the property inventory. DELEG defines equipment as property with a per unit acquisition cost of \$5000 or more and having a life of one year or more. Property includes computer software acquisitions if the per unit acquisition cost is \$5000 or more.

For purposes of inventory control, maintenance of records by automatic data processing, ledger, or property card format shall be required for all equipment items purchased in whole or in part with funds from DELEG. Equipment inventory is to be physically verified annually by the OCMWA, by someone other than the Director or Property Manager, and a list of all equipment sent to DELEG by May 1 of each year. Equipment with an acquisition cost of \$5000 or more may not be moved outside the OCMWA's jurisdiction.

The annual inventory list shall include all of the following information:

- Description of equipment
- Serial number
- I.D. or Tag number
- Funding source(s) of equipment
- Vestment of Title
- Acquisition date
- Cost
- Percentage of federal funds used in the acquisition
- Location of the equipment
- Condition of the equipment
- Program utilizing the equipment
- Approval date for disposal
- Disposal Date
- Net sales proceeds (if disposed of)

The inventory list shall be sent to:

Michigan Department of Labor & Economic Growth
Office of Workforce Development
201 North Washington Square, 5th Floor
Lansing, Michigan 48913
Attention: Inventory Account Analyst

For all new purchases with a unit cost of \$5000 or more, the OCMWA shall add the items to their inventory list within 30 days of acquisition. In addition, the OCMWA shall

notify DELEG, of all the inventory control information listed above (with the exception of the last three items), by submitting a Confirmation of Equipment Purchase (OWD Form-7) within 30 days of acquisition.

5. **Equipment Disposition**—Written approval must be obtained from DELEG prior to disposal of any equipment items that had an original acquisition cost of \$5000 or more. Equipment purchased utilizing DELEG funding sources, which is no longer needed, must be disposed of at fair market value. Equipment may be traded-in or sold with the proceeds applied to offset the cost of replacement equipment. Equipment may be sold or otherwise disposed of (junked, donated, etc.) with the proceeds (if any) treated as program income and applied to offset program costs in the original funding sources. All equipment dispositions must be properly documented and the information retained as required in Item 1.
6. **Destroyed, Missing, or Stolen Equipment**—OCMWA shall maintain documentation of all equipment destroyed. Documentation shall include date equipment was destroyed, a description of equipment and serial number(s), and the cause of loss. OCMWA shall contact their local police department and request a report to be completed on any missing or stolen equipment. A copy of the report shall be maintained by the grant recipient/administrative entity. For equipment, which originally cost \$5000 or more, a copy of the police report must be forwarded to DELEG. Inventory records shall be adjusted accordingly.

H. **CONTRACT PROVISIONS**

Value engineering clauses will be used in contracts for construction projects of sufficient size to offer reasonable opportunities for cost reductions.

Time and material contracts will only be used after determination that no other contract is suitable, and only if the contract includes a ceiling price that the contractor exceeds at its own risk.

All OCMWA contracts shall include provisions necessary to define the responsibilities and rights of the parties to the contract. In addition, the following provisions shall be included in all contracts:

1. For all contracts in excess of \$25,000, administrative, contractual, or legal remedies in instances where contractors violate or breach contract terms. The contract clause must also provide for sanctions or penalties as appropriate.
2. Termination for cause and for convenience by the awarding agency, including the process for exercising the clause and any basis for settlement.
3. A clause indicating that the contract is contingent on the availability of federal or state funds and continued federal or state authorization for program activities, and is subject to amendment or termination due to lack of funds or authorization.

4. Notice of awarding agency requirements and regulations pertaining to reporting.
5. A provision that the contractor shall maintain adequate records relate to work under the grant or agreement program and shall make available to the DELEG or any duly authorized representative any books, documents, papers, and records which are directly related to the grant or agreement program for the purpose of making audits, examinations, excepts, and transcriptions. RECORDS SHALL BE RETAINED FOR A PERIOD OF THREE YEARS AFTER ACCEPTANCE OF CLOSEOUT.

References: Office of Management and Budget (OMB) Circular for Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Government, The Common Rule (as amended May 19, 1995).

OMB Circular A-110, Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and other Non-Profit Organizations (as further amended August 29, 1997), as applicable.

OMB Circular A-102, Grants and Cooperative Agreements with State and Local Governments (as further amended August 29, 1997), as applicable.

OMB Circular A-87, Cost Principles for State, Local and Indian Tribal Governments (as further amended August 29, 1997), as applicable.

OMB Circular A-122 (06/01/1998), Cost Principles for Non-Profit Organizations

Workforce Investment Act (WIA) Regulations, 29 Code of Federal Regulations (CFR) Section 667

Welfare To Work (WTW) Regulations, 20 CFR Section 645

Temporary Aid to Needy Families (TANF) Regulations, 45 CFR Section 263

Michigan Compiled Laws Annotated (MCLA) 752.791, The Michigan Computer Law, as applicable.

Action Request



Committee: Planning and Policy Committee

Meeting Date: 7/12/2011

Requesting Department: Fiscal Services

Submitted By: Bob Spaman

Agenda Item: Fund Balance Policy

SUGGESTED MOTION:

To approve and forward to the Finance and Administration Committee the Fund Balance Policy for review and comment.

SUMMARY OF REQUEST:

The Governmental Accounting Standards Board (GASB) has implemented GASB54 – Fund Balance Reporting and Fund Type Definitions that required new fund balance descriptions. This will take affect with the County's 2011 Audit.

This new policy incorporates the new definitions and the order of spending fund balance for the County.

FINANCIAL INFORMATION:

Total Cost: \$0.00 | General Fund Cost: \$0.00 | Included in Budget: Yes | No

If not included in budget, recommended funding source:

ACTION IS RELATED TO AN ACTIVITY WHICH IS:

Mandated | Non-Mandated | New Activity

ACTION IS RELATED TO STRATEGIC PLAN:

Goal: #1 - To Maintain and Improve the Strong Financial Position of the County

Objective: #2 - Implement Processes and Strategies to deal with operational budget deficits.

ADMINISTRATION RECOMMENDATION: Recommended | Not Recommended | Without Recommendation

County Administrator: **Alan G. Vanderberg**

Digitally signed by Alan G. Vanderberg
DN: cn=Alan G. Vanderberg, o=US, ou=County of Ottawa, ou=Administrator's Office, email=avanderberg@ottawacounty.org
Reason: I am approving the document
Date: 2011.07.07 14:39:31 -0400

Committee/Governing/Advisory Board Approval Date:



County of Ottawa

POLICY

I. POLICY

To define the components of fund balance in accordance with Governmental Accounting Standards Board Statement #54 – Fund Balance Reporting and Governmental Fund Type Definitions, direct officials and staff in the process followed to commit and assign fund balance and to define the balances first utilized when applicable expenditures are incurred.

II. STATUTORY REFERENCES

III. COUNTY LEGISLATIVE OR HISTORICAL REFERENCES

The original Board policy on this subject matter was adopted in

Board of Commissioners Resolution Number and Policy Adoption Date:

Board of Commissioner Review Date and Resolution Number:

Name and Date of Last Committee Review:

Last Review by Internal Policy Review Team: April 25, 2011



County of Ottawa

IV. PROCEDURE

- A. Fund balance is only reported in governmental funds and is created from revenues in excess of expenditures. It is the balance of assets in excess of liabilities, unless otherwise restricted, available for spending. Following are the five components of fund balance:
1. Nonspendable Fund Balance - This portion of fund balance is *nonspendable* because of the related asset's form. The assets are either (a) not in a spendable form or (b) legally or contractually required to be maintained intact. Examples of nonspendable fund balance include inventory, prepaid items, non-current financial assets, and the nonspendable portion of endowments.
 2. Restricted Fund Balance - This portion of fund balance is *restricted* due to limitations placed on the use of the related assets. Restrictions have been placed on the use of the related assets either (a) externally by creditors (debt covenants), grantors, contributors, or laws or regulations of other governments; or (b) internally through enabling legislation or constitutional provisions. The limitations on the use of the related assets in this component of fund balance are legally enforceable.
 3. Committed Fund Balance - This portion of fund balance is *committed* due to limitations placed on the use of related assets by formal action of the County Board (legislation, resolution, ordinance). The limitations remain binding until the governing body takes formal action to remove applicable limitations. This balance also incorporates contractual obligations to the extent that existing assets have been specifically committed for use in satisfying contractual requirements.

Budget Stabilization – the County will commit fund balance in the General Fund in an amount not to exceed the lesser of 1) 15% of the most recently adopted General Fund budget or 2) 15% of the average of the most recent five years of General Fund budgets, as amended. Uses of these funds include:

- a. cover a general fund deficit, when the County's annual audit reveals such a deficit.
- b. prevent a reduction in the level of public services or in the number of employees at any time in a fiscal year when the County's budgeted revenue is not being collected in an amount sufficient to cover budgeted expenditures.
- c. prevent a reduction in the level of public services or in the number of employees when in preparing the budget for the next fiscal year the County's estimated revenue does not appear sufficient to cover estimated expenses.
- d. cover expenses arising because of natural disaster, including a flood, fire, or tornado



County of Ottawa

4. Assigned Fund Balance - This portion of fund balance is *assigned* to reflect the intended use of the related assets. Such assignments cannot exceed the available (spendable, unrestricted, or uncommitted) fund balance in any particular fund. Less formality is needed to impose, remove, or modify a constraint reflected in *assigned fund balance*. The County Board delegates authority to assign fund balances to the (County Administrator). No governmental funds other than the General Fund may have unassigned fund balance, therefore any amounts remaining in excess of nonspendable, restricted, or committed fund balance in a governmental fund other than the General Fund will automatically be reported as *assigned fund balance*. If any portion of existing fund balance will be used to eliminate a projected deficit in the subsequent year's budget, this amount will also be categorized as *assigned fund balance*.
5. Unassigned Fund Balance - The General Fund, and no other governmental fund, may have resources that cannot be classified in one of the four categories described above. Only the General Fund can report a surplus, an *unassigned fund balance*.

B. Order of Spending Fund Balance

1. When an expenditure is incurred for purposes for which both restricted and unrestricted (committed, assigned, or unassigned) amounts are available, it shall be the policy of the County of Ottawa to consider restricted amounts to have been reduced first. When an expenditure is incurred for purposes for which amounts in any of the unrestricted fund balance classifications could be used, it shall be the policy of the County of Ottawa that committed amounts would be reduced first, followed by assigned amounts and then unassigned amounts.

C. Minimum Fund Balance

1. It is the County of Ottawa's policy to maintain a fund balance in the General Fund of not less than 10% and not more than 15% of the most recently audited General Fund expenditures and transfers out for cash flow and flexibility purposes.

Such assignments cannot exceed the available (spendable, unrestricted, uncommitted) fund balance in any particular fund.

V. REVIEW PERIOD

The Internal Policy Review Team will review this Policy at least once every two years, and will make recommendations for changes to the Planning & Policy Committee.



County of Ottawa

EMAIL RETENTION AND ARCHIVING

I. PURPOSE OF RULE:

In order for government to function administratively, undergo periodic audits, provide for its legal requirements and document its heritage, it must manage its records properly. Therefore, the County of Ottawa requires its employees to retain and destroy e-mail messages that are sent and received in the course of conducting official business in accordance with an approved records Retention and Disposal Schedule.

II. BACKGROUND:

M.C.L.	15.231-15.232	(Freedom of Information Act)
M.C.L.	18.1284-1292	(Management and Budget Act, Records Management)
M.C.L.	399.1-10	(Historical Commission Act)
M.C.L.	750.491	(Penal Code, Public Records)

III. RULE:

- A. All ~~e~~E-mail that is created, received or stored by the County ~~e~~E-mail system is considered public property. It is not the property of employees, customers or vendors.
- B. E-mail records are used to support a variety of business processes. E-mail messages must be evaluated for their content and purpose to determine the length of time the message must be retained in accordance with the appropriate Retention and Disposal Schedule.
- C. Records, including e-mail, cannot be destroyed if they have been requested under the Freedom on Information Act (FOIA), or if they are part of on-going litigation, even if their retention period has expired. Therefore, upon notification of a FOIA request or litigation involving e-mail, e-mail files pertaining to that request or litigation will be locked from deletion until litigation is complete.
- D. Each employee is responsible for complying with retention rules for their ~~e~~E-mail.
 1. For e-mail sent and received within the County, the person sending an ~~e~~E-mail is considered the person of "Record" and retention is the responsibility of the sender.
 2. For e-mail sent to the County from an outside ~~non-governmental~~ agency the County employee receiving the e-mail becomes the person of "Record" and will be the keeper of record.
 3. E-mail sent or received may not be modified by the sender or receiver.



County of Ottawa

4. Each employee is responsible for managing e-mail messages in the same way as any other record as follows.
 - a. Organize e-mail messages so they can be located and used by using a folder structure that will facilitate search and recovery of documents.
 - b. Using an approved Retention and Disposal Schedule to identify how long e-mail messages must be kept.
 - c. Keeping e-mail messages for their entire retention period, and for deleting e-mail messages in accordance with an approved Retention and Disposal Schedule.
- E. Departments will ensure that all employees complete records retention training.
- F. The Information Technology Department will provide the following.
 1. Advice and training on methods to organize e-mail.
 2. Centralized archiving for ~~E~~e-mail older than 90 days without attachments.
 3. On-line Archive retention for up to two years.
 4. Tape storage for ~~E~~e-mail older than two years.
 5. Destruction of ~~E~~e-mail saved to tape after seven years.
 - ~~6. Temporary restoration of E-mail requiring retention for more than seven years to the Department/Sender during a 30-day annual review period (Refer to paragraph 6 below).~~
 - ~~7. Research and recommendations on E-mail archiving, search and retrieval technologies, methods and procedures needed to comply with records retention rules.~~
 - ~~8. Records, including e-mail, cannot be destroyed if they have been requested under the Freedom of Information Act (FOIA), or if they are part of on-going litigation, even if their retention period has expired. Therefore, upon notification of a FOIA request or litigation involving e-mail, e-mail files pertaining to that request or litigation will be locked from deletion until litigation is complete.~~
- G. Annual Review.
 - ~~1. IT will provide departments their "Permanent" and "Agency Review" folders annually.~~



County of Ottawa

~~2. Departments will complete a review within 30 days and identify any E-mail to be retained. E-mail not designated to be retained will be permanently destroyed.~~

H.G. Terminology

1. Archive – ~~e~~E-mail saved to off-line storage but is still directly accessible through the E-mail program.
2. FOIA – Freedom of Information Act.
3. eDiscovery – Review and identification of electronic records resulting from legal action.

IV. DATE APPROVED:

Administrator approval date:

Board of Commissioners notification date:

I. REVIEW PERIOD

The Internal Policy Review Team will review this Rule at least once every two years, and will make recommendations for changes to the County Administrator.



County of Ottawa

Administrator's Office

Alan G. Vanderberg
County Administrator
12220 Fillmore Street, Room 331,
West Olive, Michigan 49460
(616) 738-4068
e-mail: avanderberg@miottawa.org

DATE: July 7, 2011
TO: Planning and Policy Committee
FROM: Al Vanderberg
SUBJECT: Policies Reviewed

The Internal Policy Review Team (Administrator, Assistant Administrator, Corporate Counsel, HR Director, IT Director and Fiscal Services Director) meets on a regular basis to review and update policies and administrative rules. Per board policy, each policy/rule is scheduled to be reviewed every two years and is submitted to the Board of Commissioners for approval when a policy update is recommended. Procedures and updates to procedures are approved by the County Administrator. Per the normal schedule of review by the Internal Policy Review Team the following policies have been reviewed and no policy changes are recommended. Policies that have received a procedural change have been attached for your information. If you have questions please contact me otherwise these polices will be forwarded to the entire Board via email as information.

Reviewed with Procedural Revisions

County Policies

08 Contracting Policy

Fiscal Policies

09 General Fund Budget Policy
14 Operating Budget Policy
17 Per Diem Expense Mileage Policy
22 Purchasing Policy
24 Travel and Meal Policy

Human Resources

05 Job Descriptions Policy
16 Purchase of Military Credits Policy
18 De-Authorization Policy

Reviewed Only (no revisions)

Fiscal Policies

01 Accounting Auditing Financial Reporting Policy
02 Accounts Payable Audit Policy
05 County Equipment – Personal Use
06 Credit Card Usage Policy
07 Debt Policy
08 Financial Goals Policy
10 Grants Policy
11 Infrastructure Program Policy
12 Livestock Reimburse Policy
13 Millage Request Policy
15 Participating Conferences Policy
16 Payment of Accounts Payable Prior to Board Authorization Policy
19 Revenue Expenditure Policy
20 Risk Management Policy
21 Investment Policy
23 Sale or Disposal of Used County Equipment & Personal Property Policy
25 Mileage Policy



County of Ottawa

CONTRACTING POLICY

I. POLICY

All Contracts for all departments and agencies shall be submitted for centralized review, approval, and processing consistent with statutory requirements.

II. STATUTORY REFERENCES

[MCL 46.11](#)

III. COUNTY LEGISLATIVE OR HISTORICAL REFERENCES

Board of Commissioners adopted date: No Dates

Date Reviewed & Recommended by

Administrator: July 18, 2001

Committee: Planning and Policy January 17, 2001 & July 18, 2001

Revised and Adopted Date:

[Last Review by Internal Policy Review Team: July 6, 2011](#)



County of Ottawa

IV. PROCEDURE

- A. Definition of Contract: A contract is defined as any agreement by Ottawa County or a department or agency of Ottawa County government with a third party to purchase, exchange or use goods, services, or property; or any such agreement to sell, exchange or supply goods, services, or property. The definition of “contract” includes agreements and grant documents between the county or a department or agency of county government and federal, state or local government. “Purchase Orders” are within the definition of a contract, but in the ordinary course, Purchase Orders should be processed through the Fiscal Services Department following the policies and procedures established by the Fiscal Services Department. If a department or agency head has a question as to whether a document, arrangement or agreement is or is not a contract subject to this policy, the department or agency head should submit the question for review by corporate counsel.
- B. Contracts to be in writing: All contracts to which Ottawa County or a department or agency of Ottawa County government is a party must be in writing and signed, and any modifications or amendments to the terms of executed contracts must be in writing and signed.
- C. Contracts under \$1,000.00 in cost: Prior to execution, contracts under \$1,000.00 in cost must be approved by the department or agency head and submitted for review and approval by the Fiscal Services Department and Corporate Counsel. The contracts shall may be signed by the department or agency head.
- D. Contracts in excess of \$1,000.00 and less than \$5,000.00: Prior to execution, contracts in excess of \$1,000.00 and less than \$5,000.00 must be approved by the department or agency head and submitted for review and approval by the Fiscal Services Department and by Corporate Counsel. After review and approval, the contracts shall be signed by the Chairperson of the Board of Commissioners and the County Clerk. ~~A monthly list of all such contracts, containing the names of the contracting department and parties, and a brief description of the purpose of the proposed contract and the cost of the contract, shall be submitted to the next meeting of the Board of Commissioners for informational purposes through a contract log submitted by the County Clerk.~~
- E. Contracts in excess of \$5,000.00: Contracts in excess of \$5,000.00 shall be submitted for review and approval by the Fiscal Services Department and Corporate Counsel, shall be directed through the appropriate committees of the Board, including the Finance & Administration Committee and/or the Planning & Policy Committee, and shall be formally approved by the County Board of Commissioners, prior to execution by the Chairperson of the Board of Commissioners and the County Clerk.



County of Ottawa

~~E.~~_____

~~E.F. _____ Leases Property Transactions: Sales and other transactions concerning real property. - All leases of real property by the County or leases of real property owned by the County shall be submitted for review and approval by the Fiscal Services Department and Corporate Counsel and shall be directed through the appropriate committees of the Board of Commissioners, including the Finance & Administration Committee and the Planning & Policy Committee, for review and approval, and shall be formally approved by the County Board of Commissioners prior to execution by the Chairperson of the Board of Commissioners and the County Clerk. All options, leases, sales, grant-of-easements, and other transactions in real property owned or to be acquired by Ottawa County shall be submitted for review and approval by the Fiscal Services Department and Corporate Counsel and shall be directed through appropriate committees of the Board of Commissioners, including the Finance and Administration Committee and the Planning & Policy Committee, for review and approval, and shall be formally approved by the County Board of Commissioners prior to execution by the Chairperson of the Board of Commissioners and the County Clerk.~~

~~F. Contracts in excess of \$5,000.00: Contracts in excess of \$5,000.00 shall be submitted for review and approval by the Fiscal Services Department and Corporate Counsel, shall be directed through the appropriate committees of the Board, including the Finance & Administration Committee and the Planning & Policy Committee, and shall be formally approved by the County Board of Commissioners, prior to execution by the Chairperson of the Board of Commissioners and the County Clerk.~~

G. Change Orders and Contract Modifications: Change orders and contract modifications shall be reviewed and approved based upon the financial guidelines set forth in paragraphs B through E, above. Change orders or modifications which will not change the price term of a contract, but which will, in the opinion of the department or agency head and/or Administrator, result in substantial modification to the quantity, quality, or timeliness of performances by the contracting parties shall be submitted for review by the appropriate committees of the Board of Commissioners, including the Finance & Administration Committee and the Planning & Policy Committee, prior to execution of the change order, following the procedures for contracts for that dollar amount set forth in paragraphs B through E, above.

H. Changes in Sub-Agreements to Collective Bargaining Agreements: Changes in sub-agreements to collective bargaining agreements may be negotiated and approved by the Administrator without prior approval of the County Board of Commissioners. The Administrator shall keep the Human Resources Committee and the Board advised of the status of these matters and shall seek Committee and Board consent for any such modification, as may be advisable.



County of Ottawa

- I. Repetitive and Form Contracts: Contracts which are for authorized, budgeted programs and which are in a form used repeatedly, (e.g., home weatherization, employment and training, etc.) may be executed by a department or agency head or the designee of a department or agency head without review by the Fiscal Services Department or Corporate Counsel. Each exemption from the general requirements of this policy for a program which utilizes repetitive and form contracts must be approved by the Planning and Policy Committee. The language and format of all repetitive and form contracts shall be reviewed and approved by Corporate Counsel on an annual basis.
- J. Contracts for Departments or Agencies having Separate Governing Boards: Departments and agencies having separate governing boards (e.g., Community Mental Health, ~~Social Services~~, the Ottawa County Michigan Works! etc.) shall be subject to this policy. Contracts may be submitted for review and approval under this policy simultaneously with submission for review and approval by the governing board of the department or agency, or may be submitted for review and approval following the action of the department or agency's governing body. The final form and content of any contract approved under this policy and by the governing board of a department or agency shall be identical.
- K. Expedited Emergency Contracts: All personnel with responsibility for contracts will work to process contracts and related documents on a timely basis. Contracts for budgeted goods and services may be processed on an expedited basis when necessary to obtain goods or services quickly and/or to assure the continuity of government operations and the provision of services. Any contract other than ~~a lease for real property, transactions in real property~~ which must be executed on an emergency expedited basis, may be executed by the appropriate parties under the terms of this policy, following review and written approval of the contract by a committee composed of the Administrator, County Clerk, Fiscal Services Director and Corporate Counsel. ~~Thereafter, contracts which would have otherwise followed the procedural formats set forth in paragraphs 4, 6, or 7 of this policy shall be submitted for review and/or ratification by the appropriate Board Committees and/or the full Board of Commissioners, as may be necessary under the terms of the applicable paragraphs, and signed by the Board Chairperson and County Clerk. The Corporation Counsel shall develop and maintain forms to implement this subsection.~~
- L. Contract Retention: An executed original of all contracts, amendments, and modifications, except repetitive or form contracts under paragraph I or collective bargaining agreements, which are reviewed, approved and executed under ~~paragraphs 4 through 7~~ this policy, ~~above,~~ shall be kept in the office of Ottawa County Clerk. A copy shall also be kept in the office of the department or agency making the contract.

V. REVIEW PERIOD



Committee.

County of Ottawa

The Internal Policy Review Team will review this Policy at least once every two years, and will make recommendations for changes to the Planning & Policy



County of Ottawa

GENERAL FUND BUDGET SURPLUS POLICY

I. POLICY

The Ottawa County Board of Commissioners does not assume that the County will finish each fiscal year with a budget surplus in the General Fund. If such a surplus does exist, the Board will use such surplus funds to meet the identified long-term fiscal goals of Ottawa County. Generally, such funds should not be used toward payment of ongoing operational costs. Ottawa County defines a surplus as the amount of undesignated fund balance that exceeds the lesser of (a) three months of the most recently adopted budget, or (b) 10% to 15% of the General Fund's expenditures from the most recently completed audit.

II. STATUTORY REFERENCES

The Board of Commissioners may establish such rules and regulations regarding the business concerns of the County as the Board considers necessary and proper. See: MCL 46.11(m); Act 156 of 1851, as amended.

III. COUNTY LEGISLATIVE OR HISTORICAL REFERENCES

Board of Commissioners Policy Adoption Date and Resolution Number: May 27, 2008; 08-123

Board of Commissioners Review Date and Resolution Number: May 13, 2008; 08-110

Name and Date of Last Committee Review: Planning and Policy Committee, May 8, 2008

Related Policies:

Last Review by Internal Policy Review Team: April 25, 2011

IV. GASB REFERENCES



County of Ottawa

V. PROCEDURE

1. Board will use surplus funds left over at the close of the fiscal year in the following order of priority:
 - a. Such funds may be added to the Committed or Assigned Fund Balance of the General Fund for a specified purpose;
 - b. The Board may use the funds to fund the county financing tools;
 - c. Such funds may be used to address emergency needs, concerns, or one time projects as designated by the Board;
 - d. After funding the county financing tools, any remaining fund balance may be used toward a millage reduction factor to be applied to the next levied millage;
2. The Board will designate surplus funds projected during the budgetary process for use in the following order of priority:
 - a. The Board may use such funds to grant additional equipment requests which were not originally approved in the proposed budget;
 - b. The Board may use such funds to add to the Committed or Assigned Fund Balance of the General Fund for a specified purpose;
 - c. The Board may use such funds to fund the county financing tools;
 - d. The Board may use the funds in the form of a millage reduction factor;
3. In making its decisions about the use and allocation of such funds on new, unbudgeted projects, the Board will use the following criteria:
 - a. Any request for funding must be designed to meet a significant public need. The request must be supportable and defensible;
 - b. Any proposal for funding must be cost effective, affordable, and contain a realistic proposal for available, ongoing funding, if necessary to successfully complete the project or provide the service;
 - c. Any proposal for funding must be consistent with the Board's Strategic Plan;
 - d. Any proposal for funding must be specific, attainable, have measurable results, be realistic, and timely;



County of Ottawa

- e. Any proposal for funding must identify long-term benefits for the general public which would benefit in an identifiable way the "majority" of citizens'
- f. In making decisions about the use of such funds, the Board will consider whether the program or goal can be performed better by a person or entity other than the County.

VI. REVIEW PERIOD

The Internal Policy Review Team will review this Policy at least once every two years, and will make recommendations for changes to the Planning & Policy Committee.



County of Ottawa

OPERATING BUDGET POLICY

I. POLICY

The Ottawa County Board of Commissioners supports principles of budgeting, management, and accounting which promote the fiscal integrity of the County, clearly enhance the County's reputation for good stewardship, and which explain the status of County operations to the citizens and tax payers of Ottawa County. Systems and procedures will be implemented by Ottawa County to implement this policy, in accordance with the Ottawa County Strategic Plan.

II. STATUTORY REFERENCES

The Board of Commissioners may establish such rules and regulations regarding the business concerns of the County as the Board considers necessary and proper. See: MCL 46.11(m); 46.71, Act 156 of 1851, as amended. See also the specific statutory requirements of the Uniform Budgeting and Accounting Act, MCL 141.421a et seq.

III. COUNTY LEGISLATIVE OR HISTORICAL REFERENCES

Board of Commissioners Policy Adoption Date and Resolution Number: May 27, 2008; 08-123

Board of Commissioners Review Date and Resolution Number: May 13, 2008; 08-110

Name and Date of Last Committee Review: Planning and Policy Committee, May 8, 2008

Related Policies:

Last Review by Internal Policy Review Team: April 25, 2011



County of Ottawa

IV. PROCEDURE

A. County Budget Philosophy

1. **Alignment with Strategic Plan:** The County Board regularly reviews and updates the County's strategic plan which serves as a guide for County operations. Since the budget is the main tool for implementation of the Strategic Plan, the budget, to the extent possible, will be consistent with the goals and objectives of the strategic plan.
2. **Prudence:** As stewards of taxpayer dollars and to promote stability, the budget will be prepared using conservative, but realistic estimates. The County will also avoid budgetary procedures such as accruing future years' revenues or rolling over short-term debt to balance the current budget at the expense of future budgets.

The County will include a contingency amount in the budget for unforeseen and emergency type expenditures. The amount will be based on the unassigned fund balance in the General Fund for the most recently completed audit. If the unassigned fund balance for the most recently completed audit (e.g., 2006 audit used for the 2008 budget) is at least 10% of audited expenditures, contingency will be budgeted at not less than .5% and not more than 2% of the General Fund's actual expenditures for the most recently completed audit. If the unassigned fund balance is less than 10% of expenditures, contingency will be budgeted at not less than .1% and not more than 2% of the General Fund's actual expenditures for the most recently completed audit (e.g., 2006 audit used for the 2008 budget). All appropriations from contingency must have Board approval.

3. **Balancing the Budget:** In accordance with Public Act 621, no fund will be budgeted with a deficit (expenditures exceeding revenues and fund balance). Prudence requires that the ongoing operating budget be matched with ongoing, stable revenue sources in order to avoid disruption of services. The County will make every effort to avoid the use of one-time dollars and fund balance to balance the budget. Instead, cash balances and one-time revenues should only be used for one-time expenditures such as capital improvements.

B. Budget Formulation

1. **Responsibility:** The Administrator will assume final responsibility for the preparation, presentation and control of the budget, and shall prepare an annual budget calendar and budget resolution packet for each fiscal year.
2. **Budget Basis:** The budget will be prepared on the same basis as the County's financial statements. The governmental funds will be based on modified accrual



County of Ottawa

and the proprietary funds (budgeted in total only) will be based on full accrual. The County's legal level of control is by line item.

3. Schedule: The annual budget process will be conducted in accordance with the following budget calendar:

County of Ottawa Budget Calendar

- Mid March Equipment and Personnel Request Forms sent to department heads.
- March 31 Department requests for equipment and personnel submitted to Fiscal Services Department.
- April 1 Performance Measures sent to department heads for updating.
- April 30 Performance Measures returned to Fiscal Services Department.
- First Tuesday in May

Finance Committee approves the Resolutions of Intent to Increase Millage Rates, Distribution of the Convention Facility Tax and Distribution of the Cigarette Tax. *The County operating levy under consideration is for the current budget year. The 911 and Parks levies under consideration are for the next budget year.*

Board reviews Truth-in-Taxation Calculation, the Resolutions of Intent to Increase Millage Rates and sets the date for public hearing.

Third Monday in May

Budget packets distributed to departments.

Third Tuesday in May

Finance Committee approves the Resolutions to Approve the Millage Rates and forwards them to the Board.

Fourth Tuesday in May

Board holds a public hearing and approves the millage rates.

Third Monday in May-



County of Ottawa

Mid June Departments develop individual budgets. The Fiscal Services Department available to provide any needed assistance in completing budget documents.

Mid June Departments submit completed budget requests and narratives to the Fiscal Services Department.

Mid June - Fiscal Services Department summarizes budgets and prepares documents for Administrative review.
July 31

Mid July - Administration and Fiscal Services Director meet with Department Heads
Mid August in preparation of a proposed budget.

First Tuesday in September

Finance Committee presented with preliminary review of the General Fund budget

Third Tuesday in September

Finance Committee preliminary review of the budget; approval of the Salary and Fringe Benefits Adjustments.

Fourth Tuesday in September

Board sets the date for the public hearing on the County Budget for second Tuesday in October, receives preliminary overview of budget and approves the Salary and Fringe Benefit Adjustments.

Six Days Prior to Public Hearing

Deadline for the publication of the public hearing notice on the budget.

Second Tuesday in October

Board holds the public hearing on the budget and receives the formal Budget Presentation.

Third Tuesday in October

Finance Committee reviews Resolution to Approve the County Budget, Insurance Authority Budget and the Apportionment Report.

Fourth Tuesday in October

Board adopts the County Budget, the Insurance Authority Budget and the Apportionment Report.



County of Ottawa

4. **Required Budget Data:** Department heads and other administrative officers of budgetary centers will provide necessary information to the Administrator for budget preparation. Specifically, departments will be asked to provide equipment and personnel requests with explanatory data, goals, objectives and performance data, substantiating information for each account, and performance measures, both historical and projected.
 5. **Budget Document:** The County will prepare the final budget document in accordance with the guidelines established the Government Finance Officers Association Distinguished Budget Award Program and on a basis consistent/t with principles established by the Governmental Accounting Standards Board.
- C. Amendments to the Budget
1. Budgets for the current year are continually reviewed for any required revisions of original estimates. Proposed increases or reductions in appropriations in excess of \$50,000, involving multiple funds, or any amendment resulting in a net change to revenues or expenditures are presented to the Board for action. Transfers that are \$50,000 or less, within a single fund, and do not result in a net change to revenues or expenditures may be approved by the County Administrator and Fiscal Services Director. Budget adjustments will not be made after a fund's fiscal year end except where permitted by grant agreements. All budget appropriations lapse at the end of each fiscal year unless specific Board action is taken.
 2. All unencumbered appropriations lapse at year-end. However, the appropriation authority for major capital projects, capital assets and previously authorized projects (i.e., the encumbered portions) carries forward automatically to the subsequent year. All other encumbered appropriations lapse at year-end.
- D. Long-term Financial Planning
1. As part of the annual budget process, five year revenue and expenditure estimates will be provided for the General Fund. The estimates will assess the long-term impacts of budget policies, tax levies, program changes, capital improvements and other initiatives. This information may then be used to develop strategies to maintain the County's financial standing. If a structural deficit (operating revenues do not cover operating expenditures) is identified, or projected, the Administrator will develop and bring before the Board a deficit elimination plan to address the problem.
 2. In addition, the County will support efforts that control future operating costs. The County will strive to fully fund the County's financing tools to benefit all current and future residents of Ottawa County. The following funds have been identified as financing tools of the County:



County of Ottawa

- a. *2271 Solid Waste Clean-up Fund:* This fund was established from monies received by Ottawa County from the settlement of litigation over the Southwest Ottawa Landfill. These monies are to be used for the clean-up of the landfill. The fund's goal is to use the interest generated from the principal to cover ongoing annual costs of the landfill clean-up.
- b. *2444 Infrastructure Fund:* This fund was established to provide financial assistance to local units of government for water, sewer, road, and bridge projects that are especially unique, non-routine, and out-of-the ordinary. Money is loaned to municipalities for qualifying projects at attractive interest rates.
- c. *2450 Public Improvement Fund:* This fund is used to account for monies set aside for public improvements. The fund's goal is to provide sufficient dollars to fund the County's major capital projects.
- d. *2570 Stabilization Fund:* This fund was established pursuant to Act No. 30 of the Public Acts of 1978 to assure the continued solid financial condition of the County. Use of funds are restricted for but not limited to:
 - 1). cover a general fund deficit, when the County's annual audit reveals such a deficit.
 - 2). prevent a reduction in the level of public services or in the number of employees at any time in a fiscal year when the County's budgeted revenue is not being collected in an amount sufficient to cover budgeted expenditures.
 - 3). prevent a reduction in the level of public services or in the number of employees when in preparing the budget for the next fiscal year the County's estimated revenue does not appear sufficient to cover estimated expenses.
 - 4). cover expenses arising because of natural disaster, including a flood, fire, or tornado.
- e. *2980 Employee Sick Pay Bank:* The purpose of the Employee Sick Pay Bank Fund is to pay for the County's accrued liability which was a result of discontinuing the accumulation and payoff of employee sick days.
- f. *5160 Delinquent Tax Revolving Fund:* The Delinquent Tax Revolving Fund is used to pay each local government unit, including the County, the respective amount of taxes not collected as of March 1 of each year. After many years of waiting for this fund to mature, the treasurer now avoids costly issuances of Delinquent Tax Anticipation Notes (now referred to as General Obligation Limited Tax Notes) and pays schools, local units and the County in a timely



County of Ottawa

fashion. An annual evaluation is made to determine if it is beneficial for the County to issue general obligation limited tax notes versus using cash on hand. As a financing tool, the fund also covers the principal and interest payments on four bond issues.

- g. *6450 Duplicating Fund*
- h. *6550 Telecommunications Fund*
- i. *6641 Equipment Pool Fund*: These funds are used to provide ongoing funding for equipment replacement. They help stabilize the operating budget by avoiding the peaks and valleys that can occur with equipment purchases.

V. REVIEW PERIOD

The Internal Policy Review Team will review this Policy at least once every two years, and will make recommendations for changes to the Planning & Policy Committee.



County of Ottawa

PER DIEM EXPENSE AND MILEAGE POLICY

I. POLICY

It is the policy of the Ottawa County Board of Commissioners to compensate members of the Board and to reimburse Board member expenses related to County business pursuant to a fixed and predetermined schedule. The list of committees, boards and other public bodies for which Board members will be compensated will be approved on an annual basis by the Board of Commissioners. The Board may, by resolution, add to or subtract from the list at any time.

II. STATUTORY REFERENCES

The Board of Commissioners may establish such rules and regulations regarding the business concerns of the County as the Board considers necessary and proper. See: MCL 46.11(m); 46.71, Act 156 of 1851, as amended.

III. COUNTY LEGISLATIVE OR HISTORICAL REFERENCES

Board of Commissioners Policy Adoption Date and Resolution Number: May 27, 2008; 08-123

Board of Commissioners Review Date and Resolution Number: May 13, 2008; 08-110

Name and Date of Last Committee Review: Planning and Policy Committee, May 8, 2008

Last Review by the Internal Policy Review Team: April 25, 2011

Related Policies:



County of Ottawa

IV. PROCEDURES

A. Annual Salaries of Board Members

1. The annual salaries of the Chairperson, vice-Chairperson, and members of the Board of Commissioners will be determined by the Ottawa County Compensation Commission.

B. Board and Committee Meetings

1. To assure the presence of a quorum, if members of the Board of Commissioners are unable to attend a Board of Commissioner's meeting, or a meeting of a Board Committee, they should notify the Administrator's Office.

C. Per Diem

1. The maximum per diem payable per day shall be \$70, calculated as follows: \$40.00 per half day, where the start of the first meeting until completion of the last meeting is 4 ½ or less consecutive hours elapsed time, regardless of the number of assignments. \$70.00 per full day maximum, where assignments involve more than 4 ½ consecutive hours elapsed time, regardless of the number of assignments.

D. Mileage

1. Mileage is payable for any travel determined by the Board of Commissioners to be "county business." Mileage is payable at the current rate allowed by Internal Revenue Service regulations and may be taxable. Mileage should be electronically transmitted to the Fiscal Services Department, on the monthly Per Diem and Mileage Voucher maintained on the County computer system. Records of attendance at meetings of the Board of Commissioners will be submitted to the Accounting Department by the Clerk's Office, on forms to be developed by the Fiscal Services Department.

E. Telephone and Communication Costs

1. Long distance telephone costs pertaining to County business, including the cost of maintaining a County approved second telephone line for access to the County computer system, are reimbursable. The date the call was made, who was called, the cost, and a copy of the telephone bill or Internet cable service bill must be submitted to the Fiscal Services Department on the reimbursement voucher, either electronically or by hard copy.



County of Ottawa

F. Franking Privileges

1. County stationary for correspondence and mailing pertaining to County business is available at the County Clerk's Office. Commissioners may be reimbursed for postal costs pertaining to county business. Receipts for those costs must be submitted on the reimbursement voucher.

G. Newspaper and Magazine Subscriptions

1. Commissioners are entitled to subscriptions to any one of the following newspapers: The Grand Haven Tribune, the Grand Rapids Press, the Muskegon Chronicle, the Holland Sentinel, or the Zeeland Record.
2. Commissioners may subscribe to any governmental magazine up to \$75.00 value per year.

V. REVIEW PERIOD

The Internal Policy Review Team will review this Policy at least once every two years, and will make recommendations for changes to the Planning & Policy Committee.



County of Ottawa

PURCHASING POLICY

I. POLICY

The County of Ottawa will engage in purchasing activities that are fair and equitable, and which provide the maximum purchasing value for public funds. The County will implement procedures designed to maintain a procurement system of quality and integrity.

II. STATUTORY REFERENCES

The Board of Commissioners may establish such rules and regulations regarding the business concerns of the County as the Board considers necessary and proper. See: MCL 46.11(m); Act 156 of 1851, as amended.

III. COUNTY LEGISLATIVE OR HISTORICAL REFERENCES

The original Board Policy on this subject matter was adopted on 05/23/95.

Board of Commissioners Resolution Number and Policy Adoption Date:

Board of Commissioners Review Date and Resolution Number:

Name and Date of Last Committee Review:

Related Policies:

| [Last Review by Internal Policy Review Team: July 6, 2011](#)



County of Ottawa

IV. PROCEDURE

A. Operational Guidelines

1. It is the intent of this Policy to maximize the purchasing power and value of public funds through procurement policy that maintains a system of quality and integrity and promotes efficiency, effectiveness and equity in public purchasing. It is the goal of this Policy to recognize the obligation to the taxpayers to maximize the purchasing power of public funds to gain the best value for our residents. The County will comply with all applicable federal and state laws concerning public purchasing.

1.2. Application

- a. This Policy applies to the procurement of supplies, goods, equipment, services, and construction entered into by Ottawa County and its constituent departments and agencies, after the effective date of this Policy. It shall apply to every expenditure of public funds by Ottawa County irrespective of the source of the funds. When the procurement involves the expenditure of federal or state assistance or contract funds, the procurement shall be conducted in accordance with any applicable federal or state laws and regulations. Nothing in this Policy shall prevent any public agency from complying with the terms and conditions of any grant, gift, or bequest that is otherwise consistent with law.

2.3. Administration

- a. This Policy shall be administered by the Purchasing Division of the Fiscal Services ~~Director~~Department. All ~~Requests for Proposals (RFP) and Requests for Qualifications (RFQ)~~formal solicitations are administered through the Purchasing Division of the Fiscal Services Department.

3.4. Sales Tax Exemption

- a. The County shall not be charged or pay sales tax. Ottawa County, as a Michigan Municipal Corporation, is exempt from sales tax as provided in Act 167 of Public Acts of 1933. MCL 205.54(7); MSA 7.525(4)(7), and the Michigan Sales and Use Tax Rule, 1979 MAC Rule 205.79, provide that sales to the United States government, the State of Michigan, and their political subdivisions, departments and institutions are not taxable when ordered on a Purchase Order and paid for by warrant on government funds. In the alternative, the government may claim exemption at the time of purchase by providing the seller with a signed statement to the effect that the purchaser is a governmental entity. This position was affirmed by the



County of Ottawa

Michigan Department of Treasury through its Revenue Administrative Bulletin 1990-32, approved on October 11, 1990.

- b. The issuance of an Ottawa County Purchase Order or a Michigan Sales Tax Exemption Certificate does not, by itself, mandate the seller to exempt the sale. Therefore, all departments, divisions, and Elected Officials shall utilize Ottawa County's Purchase Order and accounts payable system to the fullest extent possible when purchasing and paying for tangible personal property while still adhering to the other provisions within this Purchasing Policy.

4.5. Emergency Purchases

- a. Whenever there is an imminent threat to the public health, safety or welfare of the County or its citizens, the Chairman of the Board of Commissioners or the County Administrator, in his/her absence, may authorize the award of a contract, utilizing competition as may be practical and reasonable under the circumstances, for the emergency purchase of supplies, materials, equipment, services or construction. Such purchase must be reported to the County Commissioners as soon as possible, under the provisions of the Ottawa County Emergency Services Resolution.

5.6. Cooperative Purchasing

- a. ~~The County may join in cooperative purchasing arrangements with school districts and other government units. The County may accept extended government pricing with appropriate documentation, if it is determined to be cost-effective and in the County's best interest. The County may join in cooperative purchasing arrangements with the State of Michigan, public school systems, and other government units.~~

6. Governmental Pricing

- a. ~~The County may accept extended governmental pricing, if it is determined by the Fiscal Services Director or the Board of Commissioners to be cost-effective and in the County's best interest.~~

7. Gratuities, Personal Benefits, and Kickbacks

- a. It shall be a violation of this Policy for any person to offer, give or agree to give any County employee or former County employee, or for any County employee or former County employee to solicit, demand, accept or agree to accept from another person, a gratuity, personal benefit, or kickback in connection with any purchasing or contracting decision.

Ethics



County of Ottawa

The Purchasing Division shall adhere to the ethical standards promulgated by the National Institute of Governmental Purchasing and the Michigan Purchasing Officers Association.

8. Failure to Follow Policy

- a. The County shall not be responsible for the costs of goods and services ordered or purchased by any County official or employee that are not obtained in accordance with this policy. Contracts negotiated outside of this policy will be considered invalid and non-binding.

B. Standards For Procurement

1. Procurement Procedures:

- ~~a.~~ The procurement procedure to be used is determined by the dollar amount of the procurement. Contracts or purchases shall not be artificially divided to circumvent the purchasing procedures in this policy. An aggregate of regular, reoccurring purchases shall be determined on an annual basis; (for example:
~~b.~~—

gasoline, paper products, cleaning supplies, ammunition, etc.). Grant funded procurements will follow all grant procurement requirements and guidelines.

A cost analysis is required for all procurement actions. This entails verification of the proposed cost data and evaluation of the specific elements of costs and profits, including comparison with the agency's prior independent cost or price estimate.

2. Purchases ~~from \$0.01 to \$999.99~~less than \$1,000:

- a. Purchases in this dollar amount are made by the department head ~~and do not have to be by competition.~~ A minimum of three quotes for goods and services must be requested. ~~The vendor's price quote may be verbal, written, electronic or by reverse auction.~~ Vendor selection and pricing should be reviewed annually for adequate and reasonable competition. A purchase order is not required.
- b. Use of County issued purchasing cards is encouraged for purchases below \$1,000. See Purchasing Card Policy, Policy number 26.

3. Purchases ~~from between~~from \$1,000.00 to ~~\$19,999.99~~25,000:

- a. Such purchases or contracts shall be by competition and require the solicitation of a minimum of three (3) price quotations or by reverse auction. The quotes should be obtained in writing, and must be included when



County of Ottawa

requesting a purchase order. Award shall be made to the qualified vendor offering the best value in the opinion of the

Fiscal Services Director Purchasing Division.

~~a. Purchases in this dollar amount shall be by competition. A minimum of three (3) quotes are required to process a purchase requisition. The quotes should be obtained in writing, and must be typed on the purchase requisition form. Award shall be made to the qualified vendor offering the best value in the opinion of the Fiscal Services Director.~~

~~b. This provision shall not apply to purchases or contracts where quotations are impractical. Such purchases or contracts shall contain appropriate documentation. If a department wishes to use specific vendors without obtaining quotes, departments must provide justification for the single vendor (i.e. vendor already has plates for printing; vendor is familiar with equipment, etc.) by completion of a sole source form.~~

4. Purchases ~~for \$~~2025,000.00 and ~~up~~above:

~~a. Formal competition required. Purchases or contracts estimated to exceed \$25,000 shall require formal competition as deemed appropriate, including but not limited to competitive sealed bids, requests for proposals, quality-based selection, negotiated purchases, etc. Purchases shall be by formal "Competitive Sealed Bid," or "Request for Proposal" and may be subject to negotiation after bid award.~~

~~b. Awards shall be made to the offeror determined to be best qualified based on the evaluation factors set forth and negotiation of fair and reasonable compensation, with the approval of the Purchasing Division of the Fiscal Services Department Director.~~

C. Competitive Sealed Bidding

1. Conditions for Use

a. All procurement contracts of the County shall be awarded by competitive sealed bidding, except as otherwise provided in this Policy.

2. Invitation for Bids

a. An invitation for bids shall be issued and shall include specifications, and all contractual terms and conditions applicable to the procurement.

3. Public Notice

a. Public notice of the invitation for bids shall be given a reasonable time prior to the bid submission date set forth therein. Such notice may include publication in a newspaper of general circulation and/or online media for a reasonable



County of Ottawa

time as determined by the Purchasing Division of the Fiscal Services Department ~~Director~~ prior to the bid opening.

The public notice shall state the place, date and time of bid opening, and shall be in a format approved by the Purchasing Division of the Fiscal Services Department ~~Director~~.

4. Bid Opening

- a. Bids shall be opened publicly in the presence of one or more witnesses following the deadline set for the submission of bids at the time and place designated in the invitation for bids. The County shall hold a public bid opening when required by law, or when in the opinion of the Purchasing Division of the Fiscal Services Department ~~Director~~, a public bid opening is in the interest of the County. The amount of each bid, and such other relevant information as the Purchasing Division of the Fiscal Services Department ~~Fiscal Services Director~~ deems appropriate, together with the name of each bidder shall be recorded. The record and each bid shall be open to public inspection in accordance with Act 442 of the Public Acts of 1976, MCL 15.231 et seq.

5. Bid Acceptance and Bid Evaluation

- a. Bids shall be evaluated based on the requirements set forth in the invitation for bids, which may include criteria to determine acceptability such as inspection, testing, quality, workmanship, experience, delivery, warranty, and suitability for a particular purpose. Bids which do not comply with all criteria set forth in the invitation to bid may be subject to disqualification.

6. Correction or Withdrawal of Bids; Cancellation of Awards

- a. Correction or withdrawal of inadvertently erroneous bids before or after bid opening, or cancellation of awards or contracts based on such bid mistakes, may be permitted in the sole discretion of ~~Ottawa the~~ County. Mistakes discovered before bid opening may be modified or withdrawn by written notice received in the office designated in the invitation for bids, prior to the time set for bid opening. After bid opening, corrections in bids shall be permitted only to the extent that the bidder can show by clear and convincing evidence, as determined by the Purchasing Division of Fiscal Services ~~Director~~, that a mistake of a nonjudgmental character was made.

7. Award

- a. The contract shall be awarded by appropriate notice to the responsible and responsive bidder whose bid meets the requirements and response selection criteria set forth in the invitation for bids. Nothing in the award process shall prevent the Purchasing Division of Fiscal Services ~~Fiscal Services Director~~



County of Ottawa

from acting in the County's best interest when making the bid award, including awarding the bid to other than the low bidder, using a quality best value based selection process. No contract or purchase order shall knowingly be entered into with any company or business which is in bankruptcy or receivership. In the event the bid for a project exceeds available funds, the Purchasing Division of the Fiscal Services Department ~~Director~~ is authorized to negotiate an

b.—

adjustment of the bid price when time or economic considerations preclude re-solicitation of work of a reduced scope, in order to bring the bid within the amount of available funds.

Tie Bids:

Bids that are equal in all aspects shall be awarded to the vendor whose headquarters is closest to the Ottawa County delivery point. To determine the location of a vendor, the County will use the address on file with the State of Michigan as the vendor's Registered Office Address as of the day the solicitation request was first issued by the County. If a vendor does not have a Registered Office Address with the State of Michigan, that vendor will be deemed to be the vendor at the greatest distance from the County. If multiple vendors are not registered with the State of Michigan, the state or county of incorporation will be used to determine the vendor's location.

D. Request for Proposal (RFP)

1. Conditions for Use

- a. When the Purchasing Division of the Fiscal Services Department ~~Director~~ determines that the use of competitive sealed bidding is either not practicable or not advantageous to the County, a contract may be entered into by use of competitive sealed requests for proposals (RFP).

2. Request for Proposal

- a. Proposals shall be solicited through a (RFP).

3. Public Notice

- a. Adequate public notice of the (RFP) shall be given in the same manner as provided in Section 2.2(3), (Competitive Sealed Bidding, Public Notice).

4. Receipt of Proposals

- a. No proposal shall be handled so as to permit disclosure of the identity of an offeror or the content of any proposal to competing offerors until the time for the public opening of bids or proposals or if a public opening is not to be conducted, until the deadline for submission of bids or proposals has expired.



County of Ottawa

A register of proposals shall be prepared containing the name of each offeror, the number of modifications received, if any, and a description sufficient to identify the item offered.

5. Evaluation Factors

- a. The request for proposal may state the relative importance of price and other evaluation and selection criteria, and may include specific criteria detailing a best value quality-based method of determining and selecting the best bid.

6. Responsible Offerors and Revisions of Proposals

- a. As provided in the (RFP), discussions may be conducted with responsible offerors to assure understanding of, and conformance to, the solicitation requirements. Responsible offers shall be accorded fair and equal treatment with respect to any opportunity for discussion and revision of proposals and such revisions may be permitted after submissions and prior to award for the purpose of obtaining best and final offers. In conducting discussions, there

shall be no disclosure of the identity of competing offerors or of any information derived from proposals submitted by competing offerors.

7. Award

- a. Award shall be made to the responsible offeror whose proposal is determined to be the most advantageous to the County, as determined by the Purchasing Division of Fiscal Services Services Director, taking into consideration price and the evaluation criteria set forth in the request for proposals.

PURCHASING SUMMARY

AMOUNT OF PURCHASE	LINE ITEM BUDGETED FUNDS NECESSARY	CONTACT TO INITIATE PURCHASE	TYPE OF QUOTE NEEDED	AWARD AUTHORIZATION REQUIRED BY	PURCHASE ORDER REQUIREMENT
\$20 AND UNDER / PETTY CASH	YES	DEPARTMENT HEAD	N/A	DEPARTMENT HEAD	NO
LESS THAN \$1,000	YES	DEPARTMENT HEAD	N/A <u>THREE VERBAL, OR WRITTEN QUOTES REQUIRED</u>	DEPARTMENT HEAD	NO



County of Ottawa

AMOUNT OF PURCHASE	LINE ITEM BUDGETED FUNDS NECESSARY	CONTACT TO INITIATE PURCHASE	TYPE OF QUOTE NEEDED	AWARD AUTHORIZATION REQUIRED BY	PURCHASE ORDER REQUIREMENT
\$1,000 – 19,999 25,000	YES	<u>PURCHASING DIVISION OF THE FISCAL SERVICES DEPARTMENT</u>	3 VERBAL, DOCUMENTED OR WRITTEN	<u>PURCHASING DIVISION OF THE FISCAL SERVICES DEPARTMENT</u> <u>FISCAL SERVICES DIRECTOR</u>	YES
\$ 20 25,000 OR GREATER	YES	<u>PURCHASING DIVISION OF THE FISCAL SERVICES DEPARTMENT</u>	SEALED BIDS, RFP, RFQ <u>FORMAL SOLICITATION</u>	FISCAL SERVICES DIRECTOR	YES
RECEIVING	DEPARTMENT HEADS ARE RESPONSIBLE FOR DETERMINING THE PROPER QUANTITY AND QUALITY OF GOODS RECEIVED BEFORE FORWARDING THE INVOICE FOR PAYMENT BY THE COUNTY.				

E. Request for Qualifications (RFQ)

- When it is considered impractical to initially prepare a purchase description to support an award based on price, and/or where the capability of the prospective proposers or bidders are uncertain, a request for qualifications (RFQ) may be issued. Once the prospective bidders/offerors have submitted their responses to the RFQ and have been determined to be technically acceptable and qualified to

perform, then an invitation to bid or RFP may be issued to the qualified bidders/offerors.

F. Sole Source Procurement

- Sole source purchases are defined as those in which “only one vendor possesses the unique and singularly available capability to meet the requirements set. Such as technical qualifications, ability to deliver at a particular



County of Ottawa

time, services from a public utility or in a situation where a particular supplier or person is identified as the only qualified source available.

2. Sole source purchases may also result because of compatibility with existing equipment or systems, the product or service is patented, copyrighted or has other proprietary information or trade secrets retained by the owner.

1.3. A contract may be awarded, without competition, when the Purchasing Division of the Fiscal Services Director determines, in writing, after conducting a good faith review of available sources, that there is only one appropriate source, and/or, when it is in the best interest of the County to choose the one appropriate source, for the required supply, equipment, service, or construction item. The Purchasing Division of the Fiscal Services Fiscal Services Director, or the soliciting agency/department, where delegated by the Fiscal Services Director, shall conduct negotiations, as appropriate, as to price, delivery, and terms.

G. Emergency Procurements

1. Notwithstanding any other provisions of this Policy, as provided for under the Ottawa County Emergency Services Resolution the Fiscal Services Director may make, or authorize others to make emergency procurements of supplies, services, or construction items, as directed by the Chairman of the Board of Commissioners or the County Administrator, when there exists a threat to public health, safety, or welfare, or where it is in the County's best interest to do so, provided that such emergency procurements shall be made with such competition as is practicable under the circumstances, and shall be documented in writing.

H. Cancellation of Bids or Requests for Proposals

1. A bid or a request for proposal, or other solicitation, may be cancelled, or any or all bids or proposals may be rejected in whole or in part, as may be specified in the solicitation, when it is in the best interest of the County, as determined by the Purchasing Division of Fiscal Services Fiscal Services Director. Each solicitation issued by the County shall state that the solicitation may be cancelled and that any bid or proposal may be rejected in whole or in part when it is in the best interest of the County.

I. Rejection of all Bids or Offerors; Responsibility of Bidders or Offerors

1. It shall be within the discretion of the Purchasing Division of Fiscal Services Fiscal Services Director not to award a contract to a bidder or offeror for any reason, including a determination that the party is not a responsible bidder or offeror.

J. Bid, Payment, and Performance Bonds on Contracts

1. To protect the County's interests, bid surety, payment bonds, or performance bonds or other security may be required for contracts in conformance with State



County of Ottawa

law, as determined by the Purchasing Division of Fiscal Services Fiscal Services Director. Any such requirements shall

be set forth in the solicitation. Bid or performance bonds shall not be used as a substitute for a determination of a bidder or offeror's responsibility. Financial statements or performance bonds may be required from any company, if deemed appropriate by the Fiscal Services Director.

K. Types of Contracts

1. General Authority. Subject to the limitations of this Section, the "Ottawa County Contracting Policy," and/or subject to approval by the Ottawa County Board of Commissioners any type of contract which is appropriate to the procurement and which will promote the best interest of the County may be used. A cost reimbursement contract may be used only when a determination is made that such contract is likely to be less costly to the County than any other type, or it is not practicable to obtain the supply, equipment, service, or construction item required except under such a contract.
2. Multi-Term Contracts:
 - a. Specified Period. Unless otherwise provided by law, a contract may be entered into for any period of time deemed to be in the best interests of the County. Payment and performance obligations shall be subject to the availability and appropriation of funds.
 - b. Determination Prior to Use. Prior to the utilization of a multi-term contract, it shall be determined:
 - 1). that needs of the County and the contract price are reasonably firm and continuing; and,
 - 2). that such a contract will serve the best interests of the County by encouraging effective competition or otherwise promoting economies in County procurement.
 - c. Payment and performance obligations for succeeding period shall be subject to the availability and appropriation of funds as set forth for the in the annual budget. Cancellation Due to Unavailability of Funds in Succeeding Fiscal Periods. When funds are not appropriated or otherwise made available to support continuation of performance in a subsequent fiscal period, the contract shall be subject to cancellation.

L. Contract Clauses and Their Administration

1. Contract Clauses. All County contracts shall include provisions necessary to define the responsibilities and rights of the parties to the contract. The Fiscal



County of Ottawa

Services Director, pursuant to the Ottawa County Contracting Policy, may issue clauses appropriate for particular contracts, addressing among others, the following subjects:

- a. the unilateral right of the County to order, in writing, changes in the work within the scope of the contract;
 - b. the unilateral right of the County to order, in writing, the temporary stoppage of the work or delaying performance that does not alter the scope of the contract;
 - c. variations occurring between estimated quantities of work in the contract and actual quantities;
 - d. defective pricing;
 - e. liquidated damages;
 - f. specified excuses for delay or nonperformance;
 - g. termination of the contract for default;
 - h. termination of the contract in whole or in part for the convenience of the County;
 - i. suspension of work on a project;
 - j. site conditions differing from those indicated in the contract, or ordinarily encountered, except that differing site conditions need not be included in a contract:
 - 1). when the contract is negotiated;
 - 2). when the contractor provides the site or design; or
 - 3). when the parties have otherwise agreed with respect to the risk of differing site conditions.
 - k. warranty clauses, including warranty of fitness for a particular purpose;
 - l. failure to meet contracted-for performance objectives.
2. Price Adjustments. Adjustments in price resulting from the use of contract clauses required by Subsection (1) of this Section shall be computed by one or more of the following ways:



County of Ottawa

- a. by agreement on a fixed price adjustment before commencement of the pertinent performance or as soon thereafter as practicable;
 - b. by unit prices specified in the contract or subsequently agreed upon;
 - c. by the cost attributable to the events or situations under such clauses with adjustment of profit or fee, all as specified in the contract or subsequently agreed upon;
 - d. in such other manner as the contracting parties may mutually agree; or
 - e. in the absence of agreement by the parties, by a unilateral determination by the County of the costs attributable to the events or situations under such clauses with adjustment of profit or fee as computed by the County, as accounted for in accordance with generally accepted accounting principles and subject to the provisions of Article VI (Appeals and Remedies).
3. Standard Clauses and Their Modification. Pursuant to the Ottawa County contracting policy, the Fiscal Services Director may establish standard contract clauses for use in County contracts. If the Fiscal Services Director establishes any standard clauses addressing the subjects set forth in Subsection (1) of this Section, such clauses may be varied provided that the circumstances justify such variations.

M. Contract Administration

1. The assigned County oversight ~~agency, agency~~ shall provide assessments to the ~~Purchasing Division of Fiscal Services~~ ~~Fiscal Services Director~~ and shall oversee contract administration to ensure that a contractor is performing in accordance with the solicitation and proposal under which the contract was awarded, and according to the terms and conditions of the contract.

N. Right to Inspect Place of Business, etc.

1. The County may inspect the place of business or work site of a contractor or subcontractor at any time, if such inspection is pertinent to the performance of any contract awarded or to be awarded by the County.

O. Right to Audit Records

1. Audit of Cost or Pricing Data
 - a. The County may audit the books and records of any contractor that has submitted cost or pricing data as a part of its bid or proposal, for three (3) years from the date of final payment under the contract.



County of Ottawa

2. Contract Records to Be Maintained

- a. The County shall be entitled to audit the books and records of a contractor or a subcontractor at any time under any contract or subcontract, other than a firm fixed-price contract, to the extent that such books, documents, papers,

and records are pertinent to the performance of such contract or subcontract. Such books and records shall be maintained by the contractor for a period of three (3) years from the date of final payment under the prime contract and by the subcontractor for a period of three (3) years, or longer if required, from the date of final payment under the subcontract.

P. Reporting of Anti-competitive Practices

1. When for any reason collusion or other anti-competitive practices are suspected among any bidders or offerors, the Fiscal Services Director shall give notice of the relevant facts to the Ottawa County Corporation Counsel.

Q. County Procurement Records

1. Bid File

- a. All determinations and other written records pertaining to ~~the solicitation_~~ and award of a contract done by Purchasing shall be maintained by the Purchasing Division of the Fiscal Services Department ~~director~~ in a bid file.

2. Retention of Procurement Records

- a. All procurement records shall be retained and disposed of by the County in accordance with the appropriate Records Retention Schedules.

R. Specifications

1. Maximum Practicable Competition

- a. Specifications shall be written so as to promote overall economy for the purposes intended and to encourage competition in satisfying the County's needs, while still providing a fair opportunity to all qualified vendors. The policy enunciated in this Section applies to all specifications prepared by County staff or prepared by others on the County's behalf.

S. "Brand Name or Equal" Specification

1. "Brand name or equal" specifications may be used when the Purchasing Division of Fiscal Services Director determines that use of a "brand name or equal" specifications is in the County's best interest.



County of Ottawa

2. The ~~Purchasing Division of Fiscal Services Director~~ shall seek to identify sources from which the designated brand name item or items may be obtained and shall solicit such sources to achieve whatever degree of price competition is practicable. If only one source can supply the requirement, the procurement shall be made under Section 2.5 (Sole Source Procurement).

T. Nondiscrimination

1. Every contract or purchase order issued by the County shall be entered into under ~~provisions which requires~~provisions which require the contractor, subcontractor or vendor not to discriminate against any employee or applicant for employment because of his/her race, religion, sex, color, national origin, height, weight, handicap or marital status.

U. Procurement of Construction Services

1. Responsibility for Selection of Methods of Construction Contracting Management
 - a. The Fiscal Services Director shall have discretion to select the method of construction contracting management for a particular project. In determining which method to use, the Fiscal Services Director shall consult with the appropriate County ~~officials,~~officials; consider the County's requirements, its resources, the project type and scope, and the potential contractor's capabilities.
2. Bid Security
 - a. Requirement for Bid Security
 - 1). Bid security may be required for competitive sealed bidding, for construction contracts when the price is estimated to exceed \$50,000. Bid security shall be a bond provided by a surety company authorized to do business in the State of Michigan, or the equivalent in cash, or otherwise supplied in a form satisfactory to the County. Nothing herein shall prevent the requirement of such bonds on construction contracts under \$50,000 when the circumstances warrant.
 - 2). Amount of Bid Security. Bid security shall be in an amount equal to at least 5% of the amount of the bid.
 - 3). Rejection of Bids for Noncompliance with Bid Security Requirements. When the invitation for bids requires security, the bid may be rejected for non-compliance.
 - 4). Withdrawal of Bids. If the bidder is permitted to withdraw the bid before award as provided in Section 2.2(6) (Competitive Sealed Bidding;



County of Ottawa

Correction or Withdrawal of Bids, Cancellation of Awards), no action shall be taken against the bidder or the bid security.

3. Contract Performance and Payment Bonds.

a. Bond Amounts: When Required

- 1). When a construction contract is awarded the following bonds or security may be required and shall become binding on the parties upon the execution of the contract:
- 2). A performance bond satisfactory to the County, executed by a surety company authorized to do business in the State of Michigan, or otherwise secured in a manner satisfactory to the County, in an amount equal to 100% of the price specified in the contract; and
- 3). A payment bond satisfactory to the County, executed by a surety company authorized to do business in the State of Michigan, or otherwise secured in a manner satisfactory to the County, for the protection of all persons supplying labor and material to the contractor or its subcontractors for the performance of the work provided for in the contract. The bonds shall be an amount equal to 100% of the price specified in the contract.

b. Authority to Require Additional Bonds

- 4). Nothing in this Section shall be construed to ~~limit the~~limit the authority of the County to require a performance bond or other security in addition to those bonds, or in circumstances other than specified in Subsection (1) of this Section.

c. Actions on Payment Bonds

- 5). Where and When Brought. Unless otherwise required by law, every action instituted upon a payment bond shall be brought in a court of competent jurisdiction within Ottawa County.

4. Fiscal Responsibility

- a. Every contract modification, change order, or contract price adjustment which exceeds the authorized contract amount, plus contingency of the total contract amount under a construction contract with the County, shall be subject to the applicable County policies.

V. Suspensions



County of Ottawa

1. Authority to Suspend

- a. ~~The Fiscal Services Director, upon consultation with the Office of Corporation Counsel, is authorized to suspend vendors whose performance of County contracts and purchase orders has been materially deficient. Suspension shall include, include non-consideration of bids or quotes submitted and cancellation of awards, and other procedures to prevent the suspended vendor from receiving County business. The suspension shall be for a period of not more than three years. The guidelines for making a suspension include, but are not limited to any one or more of the following:~~The Fiscal Services Director, upon consultation with the Office of Corporation Counsel, is authorized to suspend a person from consideration for award of contracts. The suspension shall be for a period of not more than three years. The guidelines for making a suspension include, but are not limited to any one or more of the following:

- 1). conviction of a person for commission of a criminal offense as an incident to obtaining or attempting to obtain a public or private contract or subcontract, or in the performance of such contract or subcontract, or pending, unresolved charges thereof;
- 2). conviction of a person under state or federal statutes of embezzlement, theft, forgery, bribery, falsification or destruction of records, receiving stolen property, or any other offense indicating a lack of business integrity or business honesty which seriously and directly affects responsibility as a County contractor, or pending, unresolved charges thereof;
- 3). conviction of a person under state or federal statutes arising out of the submission of bids or proposals, or pending, unresolved charges thereof;
- 4). ~~violation of contract provisions, as set forth below, of a character which is regarded by the Fiscal Services Director to be so serious as to justify suspension:~~
 - i. ~~deliberate failure without good cause to perform in accordance with the specification or within the time limit provided in the contract; or~~
 - ii. ~~a record of failure to perform or of unsatisfactory performance in accordance with the terms of one or more contracts.~~

A vendor may be removed from bidding by the Purchasing Division of Fiscal Services if the vendor has failed to provide goods or services satisfactory in accordance with bid specifications and/or terms of the contract. It shall be the joint responsibility of the Purchasing Division and the user department to document any acts of noncompliance or unsatisfactory performance on the part of the vendor. A vendor may be removed from bidding for a maximum of two (2) years



County of Ottawa

~~5).4).~~ any other cause the Fiscal Services Director determines to be so serious and compelling as to affect responsibility as a County contractor, including suspension or termination by another governmental entity for any cause substantially similar to those listed in this Section; and

~~6).5).~~ violation of the standards set forth in Article VII (Ethics in Public Purchasing/Contracting).

2. Notice to Suspend
 - a. The Fiscal Services Director shall issue a written notice to suspend.
3. Finality of Decision
 - a. A notice under Section 5.2 (Notice to Suspend) shall be final and conclusive.

W. Appeals and Remedies

1. Bid Protests

~~Any actual or prospective bidder, offeror, or contractor who is aggrieved in connection with the solicitation or award of a contract may protest may submit a request in writing to the Purchasing Division of Fiscal Services that the proposal receive a second review within seven (7) day of an award. Aggrieved persons are urged to seek resolution of their complaints initially with the appropriate Department Head and/or the Purchasing Division of Fiscal Services. A protest with respect to an invitation for bids or request for proposals shall be submitted in writing within seven (7) calendar days of the date the contract is awarded. The County Administrator and the Chairperson of the Board shall make a determination on the merits of the protest, and, if appropriate, determine a remedy, and that determination shall be final and conclusive.~~

- a. ~~Any actual or prospective bidder, offeror, or contractor who is aggrieved in connection with the solicitation or award of a contract may protest to the~~

~~County Administrator. Aggrieved persons are urged to seek resolution of their complaints initially with the appropriate Department Head and/or the Fiscal Services Director. A protest with respect to an invitation for bids or request for proposals shall be submitted in writing within seven (7) calendar days of the date the contract is awarded. The County Administrator and the Chairperson of the Board shall make a determination on the merits of the protest, and, if appropriate, determine a remedy, and that determination shall be final and conclusive.~~

2. Contract Claims



County of Ottawa

a. Claims By a Contractor

1). All claims by a contractor against the County relating to a contract, except bid protests, shall be submitted in writing to the ~~Purchasing Division of Fiscal Services Director~~. The contractor may request a conference with the Fiscal Services Director on the claim. Claims may include, without limitation, disputes arising under a contract, and those based upon breach of contract, mistake, misrepresentation, or other cause for contract modification or rescission.

b. Notice of Decision

2). The decision of the Fiscal Services Director shall be issued in writing, and shall be mailed or otherwise furnished to the contractor.

c. Contractor's Right to Appeal

3). The Fiscal Services Director's decision shall be final and conclusive unless, within seven (7) calendar days from the date of receipt of the decision, a written appeal is received by the County Administrator. The County Administrator and the Chairperson of the Board shall make a determination on the merits of the appeal, and, if appropriate, determine a remedy, and those determinations shall be final and conclusive.

d. Failure to Render Timely Decision

4). If the Fiscal Services Director does not issue a written decision regarding any contract controversy within seven (7) calendar days after written request for a final decision or within such longer period as may be agreed upon between the parties, then the contractor shall file an appeal with the County Administrator.

3. Authority of the ~~Purchasing Division of Fiscal Services~~ ~~Fiscal Services Director~~ to Settle Bid Protests and Contract Claims

a. The Fiscal Services Director is authorized to settle any protest regarding the solicitation or award of a County contract, or any claim arising out of the performance of a County contract, prior to an appeal to the County Administrator.

4. Remedies for Solicitations or Awards in Violation of Law

a. Prior to Bid Opening or Closing Date for Receipt of Proposals. If prior to the bid opening or the closing date for receipt of proposals, the Fiscal Services Director, after consultation with the Office of Corporation Counsel, determines



County of Ottawa

that an invitation to bid or RFP is in violation of applicable law, it shall be canceled or revised to comply with applicable

law.

b. Prior to Award

- 1). If, after bid opening or the closing date for receipt of proposals, the Fiscal Services Director, after consultation with the Office of Corporation Counsel, determines that an invitation to bid or RFP, or a proposed award of a contract is in violation of applicable law, then the invitation to bid, RFP, or proposed award shall be canceled.

c. After Award

- 2). If, after an award, the Fiscal Services Director, after consultation with the Office of Corporation Counsel, determines that an invitation to bid, RFP, or award of a contract was in violation of applicable law, then the contract shall be modified to be consistent with the law, or shall be terminated.

d. Reservation of Right to Sue for Damages; Equitable Relief

- 3). Nothing herein shall prohibit, impair or bar the County's right, to sue for damages or equitable relief, in addition to the remedies set forth herein.

e. Venue

- 4). Any action filed by any party for relief on a determination under the terms of this Policy shall be filed in a court of competent jurisdiction within Ottawa County.

X. Ethics in Public Purchasing/Contracting

1. Criminal Penalties

- a. To the extent that violations of the ethical standards of conduct set forth in this Policy constitute violations of federal statutes or Michigan law, they shall

be punishable as those statutes provide therein. Such penalties shall be in addition to the civil and administrative sanctions set forth in this Policy.

2. Employee's Duty to Abide by County Policies

- a. County employees shall abide by existing County policies including, but not limited to, policies regarding conflict of interest, gratuities or "kickbacks" and confidential information.



County of Ottawa

Y. Standard Prohibiting Conflict of Interest

No employee or agent of the County shall participate in the selection, or in the award or administration of a contract supported by federal funds if a conflict of interest, real or apparent, would be involved. Such a conflict would arise when:

- _____ The employee, officer, or grant;
- _____ 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 above, has a financial or other interest in the firm selected for award.

No employee or agent will neither solicit nor accept gratuities, favors or anything of monetary value from contractors, potential contractors, or suppliers. The County may set minimum rules where the financial interest is not substantial or the gift is an unsolicited item of nominal intrinsic value.

The Common Rule, Section .36(d)(1) states, "If small purchase procedures are used, price or rate quotations shall be obtained from an adequate number of qualified sources." OWD PI 04-03 states, "At a minimum, the procurement policy shall require...cost and/or price analysis for every procurement" and "documentation of price rates or quotes from an adequate number of all qualified sources," regardless of dollar amount.

Y. Equipment Disposition/Disposal

1. Equipment Disposition

- a. Equipment, supplies or other County property which have been determined by the Department Head or the Fiscal Services Director to be obsolete, worn out or no longer needed, shall be disposed of in the following manner:
 - 1). For Items \$5,000 or greater (Original Cost).
- b. Disposal shall be by auction, sealed bid, public offering or any other method the Fiscal Services Director deems to be in the County's best interest.
- c. A file shall be maintained by the Purchasing Division of Fiscal Services~~Fiscal Services Director~~ containing the following information on each item disposed of:
 - 1). Item Description
 - 2). Tag number
 - 3). Original Cost and Date of Purchase if available
 - 4). Date of Transfer or Sale



County of Ottawa

- 5). Dollar Amount Received at Sale
- 6). Method of Transfer - Auction, Sealed Bid, Public Offering, Other.
- d. For Items Under \$5,000 (Original Cost) or Lost, Stolen, Unclaimed and Other Property.
 - 1). the ~~Purchasing Division of Fiscal Services~~Fiscal Services Director shall dispose of these items in a manner which encourages competition and/or as appropriate for the situation.
 - 2). a file shall be maintained by the ~~Purchasing Division of Fiscal Services~~Fiscal Services Director indicating the date, amount of sale, and a description of the item sold, according to an applicable records retention schedule.

Z. Definitions

1. Whenever applicable, this Policy shall utilize the following definitions:
 - a. "Brand Name or Equal" Specification
 - 1). A specification limited to one or more items by manufacturers' names or catalogue numbers to describe the standard of quality, performance, and other salient characteristics needed to meet County requirements and which provides for the submission of equivalent products.
 - b. Brand Name Specification
 - 1). A specification limited to one or more items by manufacturers' names or catalogue numbers.
 - c. Business
 - 1). Any corporation, partnership, individual, sole proprietorship, joint stock company, joint venture, or any other private legal entity.
 - d. Competitive Sealed Bids
 - 1). As determined by the ~~Purchasing Division of Fiscal Services~~Fiscal Services Director, the process of receiving two or more sealed bids, responses, or proposals submitted by responsive vendors.
 - e. Confidential Information



County of Ottawa

1). 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 on request.

f. Construction

1). The process of building, altering, repairing, improving, or demolishing any public structure or building, or other public improvements of any kind to any public real property. It does not include the routine operation, routine repair, or routine maintenance of existing structures, buildings, or real property.

g. Contract

1). All types of County agreements, regardless of what they may be called, for the procurement of supplies, equipment, services, or construction.

h. Contractor

1). Any person having a contract with the County or any agency thereof.

i. Cooperative Purchasing

1). The combination of procurement requirements of two or more public agencies in order to obtain the benefits of volume purchases and/or reduction in administration expenses.

i.i. Cost-Reimbursement Contract

1). A contract under which a contractor is reimbursed for costs which are allowable and allocable in accordance with the contract terms and the provisions of this Policy, and a fee or profit, if any.

i.k. Employee

1). An individual drawing a salary or wages from the County, whether elected or not; any non-compensated individual performing personal services for the County or any department, agency, commission, council, board, or any other entity established by the executive or legislative branch of the County.

I. Encumbrances

1). Setting aside funds; funds previously committed.

k.m. Gratuity



County of Ottawa

1). A payment, loan, subscription, advance, deposit of money, service, or anything of more than nominal value, present or promised, unless consideration of substantially equal or greater value is received.

l.n. Invitation for Bids

1). All documents, whether attached or incorporated by reference, utilized for soliciting sealed bids.

m.o. Person

1). Any individual, business (including the partners, officers, directors, agents, employees and individual members of the business, or any combination thereof), union, committee, club, other organization, or group of individuals.

n.p. Procurement

1). The buying, purchasing, renting, leasing, or otherwise acquiring of any supplies, equipment, services, or construction. It also includes all functions that pertain to the obtaining of any supply, service, or construction including description of requirements, selection, and solicitation of sources, preparation and award of contract, and all phases of contract administration.

q. Professional Services

1). Services rendered by members of a recognized profession which involve extended analysis, exercise of discretion, and independent judgment in their performance, and an advanced, specialized type of knowledge, expertise or training customarily acquired either by a prolonged course of study or equivalent experience in the field-filed, and thus are unique and not subject to price competition in the usual senses.

r.f. Request for Proposals (RFP)

1). A method for acquiring goods, services and construction for public use in which other factors will be considered in the selection of a vendor in addition to the price, or when there is not sufficient information to prepare a specification suitable for competitive sealed bidding, or when it is expected that negotiations with one or more vendors may be required with respect to any aspect of the requirements.~~All documents and other materials, whether attached or incorporated by reference, intended by Ottawa County to be utilized for soliciting proposals.~~



County of Ottawa

p-s. Request for Qualifications (RFQ)

- 1). As determined by the Purchasing Division of Fiscal Services~~Fiscal Services Director~~, the process of receiving proposals, documents, specifications, recommendations, samples, records, brochures, or personnel information, to establish that an offeror is fully qualified to provide a particular good or service in accordance with anticipated contract standards, requirements, and specifications.

q-t. Responsible Bidder or Offeror

- 1). A person who has the capability in all respects to perform fully the contract requirements, and the tenacity, perseverance, experience, integrity, reliability, capacity, facilities, equipment, and credit which will assure good faith performance.

r-u. Responsive Bidder

- 1). A person who has submitted a bid which conforms in all material respects to the requirements set forth in the invitation for bids.

v. Reverse Auction

1). A reverse auction (also called procurement auction, e-auction) is a real-time auction where sellers compete to sell goods or services for progressively lower prices.

s-w. Services

- 1). The furnishing of labor, time, or effort by a contractor, not involving the delivery of a specific end product other than reports which are merely incidental to the required performance. This term shall not include employment agreements or collective bargaining agreements.

t-x. Specification

- 1). Any description of the physical or functional characteristics or of the nature of supplies, services, or construction items. It may include a description of any requirement for inspecting, testing, or preparing a supplies, equipment, services, or construction items for delivery.

u-v. Subcontractor

- 1). A person providing supplies, services, or construction items to or for the benefit of the County, pursuant to a contract with a person who has a direct contract with the County.



County of Ottawa

| v-z. Equipment

- 1). All fungible, non-consumable personal property.

| w-aa. Supplies

- 1). All consumable goods purchased by Ottawa County, materials, printing, insurance, and leases of personal property, excluding land or a permanent interest in land.

V. REVIEW PERIOD

The Internal Policy Review Team will review this Policy at least once every two years, and will make recommendations for changes to the Planning & Policy Committee.



County of Ottawa

TRAVEL AND MEAL POLICY

I. POLICY

This policy shall apply to all County employees, elected and appointed officials, and any other person who submits a travel or expense voucher to the County for reimbursement.

The responsibility for ensuring compliance with this policy rests with each traveler's department head. The Administrator and/or the Administrator's designee reserves the right to question travel vouchers which appear to violate the intent of this policy or to waive, where special circumstances warrant, any regulation/requirement herein.

All officers, employees and persons traveling on official business are expected to exercise the same care in incurring expenses that a prudent person would exercise if traveling on personal business. The person authorized to approve reimbursement of expenses is the traveler's department head.

The County Administrator and/or the Administrator's designee is responsible for interpretation and enforcement of this policy as they apply to all County employees, elected officials, and non-County personnel but excluding the County Administrator. The Finance and Administration Committee of the Board of Commissioners is responsible for interpretation and enforcement of this policy as they apply to the County Administrator, and may hear appeals of the Administrator's interpretation of this policy.

II. STATUTORY REFERENCES

Internal Revenue Service Code

The Board of Commissioners may establish such rules and regulations regarding the business concerns of the County as the Board considers necessary and proper. See: MCL 46.11(m); Act 156 of 1851, as amended.

III. COUNTY LEGISLATIVE OR HISTORICAL REFERENCES

The original Board policy on this subject matter was adopted in January 28, 1992, Resolution Number: BC 92-58

Board of Commissioner Review Date and Resolution Number: BC 04-172, July 2004

Board of Commissioners Revised Adopted Date: BC 04-185, August 2004

Name and Date of Last Committee Review: Planning and Policy – April 18, 2001/Personnel Committee June 14, 2004

Board of Commissioners Revised Adopted Date: BC 10-092, April 2010

Last Review by the Internal Policy Review Team: April 25, 2011



County of Ottawa

IV. PROCEDURES

A. General Information

1. All expenses must be annotated. A person must substantiate an expenditure for travel by adequate records or by sufficient evidence corroborating his/her own statement as to: (a) amount, (b) time and place, (c) business purpose, and (d) business relationship to taxpayers (IRS Code Section 954A). Also, an arrangement is not a reimbursement or an express expense allowance arrangement if it (a) does not require the employee to substantiate the covered expenses to the employer or (b) allows an employee to retain amounts in excess of substantiated covered expenses (IRS Code Section 941A).
2. Use of credit cards will be accepted as evidence of payment if supported by a detailed receipt, appropriately annotated to support cash payments.
3. Actual travel expenses of persons, other than County employees, who are called upon to contribute time and services as consultants, advisers or volunteers, must be authorized by the appropriate department head. Documentation must be furnished as required by these regulations. Complete explanation and justification must be shown on the vouchers. This type of expense should be submitted on the Expense Voucher.
4. Authority for Travel: All travel other than normally assigned in-County travel and travel of less than one day (not overnight), shall be duly authorized and approved by the department head. Sufficient budgeted funds must be available for such travel except that the Board of Commissioners may authorize travel and provide non-budgeted funds upon special request.
5. Advances for Travel: Normally, all travelers on official business for the County are expected to provide themselves with funds to cover their expenses. (Reimbursements will be processed in weekly check runs).
 - a. The county will pay direct the following expenses:
 - 1). Registration costs for conferences and seminars.
 - 2). Public transportation costs (i.e., air, boat, bus or rail).
 - 3). Lodging charges.
 - b. In unusual cases, an actual advance can be requested. The advance will be determined by using the per diem guidelines established in this policy and the following are met:



County of Ottawa

- 1). The travel advance is authorized by the Administrator and/or the Administrator's designee who is to ensure that the advance is reasonable and complies with these regulations.
- 2). Upon the traveler's return, a final accounting of the actual expenses incurred plus required receipts will be submitted to the Fiscal Services Department within fifteen (15) days on an Expense Voucher.

B. Expense Vouchers

1. The Expense Voucher form is to be used for reimbursement of expenses
2. The expenses of only one person shall be included on a single expense voucher, except when an employee in a custodial capacity is responsible for and pays expenses of other who accompany him or her. Names of others must be recorded on the expense voucher.
3. Itemized receipts must be attached for all items of expenses. Any receipt not submitted where required by this policy may cause the expense for same to be denied or reimbursed at rates determined by the Administrator or Administrator's designee.
4. Conference and seminar agendas shall be submitted.
5. Expense vouchers shall be submitted within fifteen (15) days after incurring the expenditures.

C. Transportation

1. All travel must be by "usually" traveled route. In case a person travels by an indirect route for his or her own convenience, or uses a slower or more expensive mode of transportation, any extra costs shall be borne by the traveler and reimbursement for expenses will be based on only such charges as would have been incurred by a usually traveled route as determined by the Administrator and/or the Administrator's designee, i.e. Person has a conference in Denver, Colorado, scheduled to start Monday at 8:30 a.m. and concludes Friday at 11:00 a.m. The airlines schedule would allow the traveler to depart Sunday and allow them to return Friday. If for whatever reason the individual elected to drive there and back leaving Saturday and returning Sunday, expenses incurred for lodging and meals on Saturday and the following Saturday and Sunday would not be reimbursed by the County.
2. Public Carrier: The expense of traveling by public carrier (rail, airplane, boat) will be allowed on the basis of actual cost. All travelers are expected to travel by the most economical mode of transportation. Transportation expense in excess of the cost of coach-class air fare will not be allowed unless justification therefore is given and the approval of the Administrator and/or the Administrator's designee is obtained before leaving on the proposed trip. The cost for luggage on the public carrier will be reimbursed.



County of Ottawa

3. Private Automobile: If travel is by privately owned automobile, the traveler will be reimbursed at the rate established by the Board of Commissioners. (See Mileage Policy) If the travel is by private automobile, the maximum allowance will be the established mileage rate or coach-class air fare (round trip), whichever is the lesser amount.
4. Any transportation arrangements other than what is covered above will require specific approval by the Administrator and/or the Administrator's designee, prior to commencing travel.

D. Lodging

1. The actual paid lodging receipt is required for lodging reimbursement. Any change in hotel charges during continuous occupancy by an employee must be explained on the voucher. Documentation must show lowest available single occupancy rate as certified by the hotel or other lodging. IRS Tax Code Section 954A: A taxpayer must have documentary evidence for any lodging expense while traveling away from home.
2. When a traveler in County travel status shares hotel or other lodging with non-county travelers (family members, friends, etc.), reimbursement to the traveler will be as follows:
 - a. If hotel or other lodging is shared with one or more non-County travelers who receive no travel reimbursement from another source, reimbursement to the traveler will be at the rate of single occupancy as certified by the hotel or other lodging (the rate of single occupancy must be on the receipt) regardless of the number of persons and/or rooms occupied. At no time will reimbursement be allowed for an additional room, or for non-County travelers.
 - b. If hotel or other lodging is shared with a County or non-County traveler on County business who is receiving reimbursement for travel, reimbursement will be reduced by a proportionate amount of the bill, based on the number of persons occupying the room.
3. Only out-of-county lodging will be reimbursed.

E. Miscellaneous Expenses

1. Miscellaneous expenses incidental to official County travel shall be held to the minimum amount required for essential and efficient conduct of County business. The department head or his/her authorized representative approving the travel voucher will be held responsible for their certification for all items of expense as being necessary and correct and cannot be in direct conflict with the travel policy. The following miscellaneous items are reimbursable with appropriate receipts:



County of Ottawa

- a. Registration Fees: Enrollment or registration fees for conventions and meetings, associations or organizations are allowable for individuals attending as official representatives of the County. Receipts must be attached to the voucher. Registration literature must be attached indicating if meals are included in the fee. If meals are included in the registration fee, corresponding meals are not reimbursable.
- b. Parking Fees: Reimbursement for parking fees is allowable, with receipts.
- c. Taxi Cab: Necessary taxi cab fares will be allowed with receipts. If receipts are not available, a full explanation is required.
- d. Car Rental: Allowable only if: (a) approved in advance of travel by the Administrator or the Administrator's designee, (b) it is more advantageous for County business and (c) more economical than some other mode of transportation. Explanation and receipt are required.
- e. Fax: Charges are allowable when necessary for official business. A full explanation is required to include date, place person faxed and the nature of the business.
- f. Personal Expenses: The County will not reimburse for the following: fees and tips for valets¹, flight insurance, housekeeping/maid service, alcoholic beverages, cleaning and pressing clothing, renting movies, snacks and similar personal expenses.
- g. Personal Phone Calls: An employee is allowed one phone call home (duration not to exceed 5 minutes) for each day away.
- h. Health Club Costs: Reimbursement for reasonable costs not to exceed \$10.00 per day for use of health club facilities during travel greater than one day. Receipts are required for reimbursement.
- i. Baggage Handling: Charges for handling and checking baggage at hotels, depots, and terminals are allowable, when such charges are incurred as a necessary expense of the trip and not for the convenience of the traveler. The allowable rate shall not exceed \$2.00 at each point of handling.
- j. Toll Bridge, Toll Road, and Ferry Boat Expenses: Toll bridge, toll road and ferry boat expenses are allowed with receipts.

F. Meals

1. A traveler is entitled to a full day's meal reimbursement when travel commences before 7:00 a.m. and extends beyond 8:00 p.m. or they are out of town at a multi-day conference, seminar or training session. Whenever meals are included in

¹ Fees and tips for valet charges will be reimbursed, when accompanied with receipts, when such charges are incurred as a necessary expense of the trip and not for the convenience of the traveler.



County of Ottawa

the registration fee, provided by public transportation or paid by others, the traveler shall not be entitled to any allowance for those particular meals.

2. Meals will not be reimbursed for non-County travelers (spouses, members of a family, friends, etc.)
3. In-county meals will be reimbursed for Associations or Organization meetings with a receipt.
4. Guest Meals: The cost of guest meals is reimbursed only if it can be shown that such cost is necessary to conduct official County business and has prior approval of the Administrator. In no case will the amount allowed be in excess of the maximum established in this policy. Full explanation must be given on the voucher, including the name, position, and employer of the guest, nature of business discussed and how it relates to the County as required by the IRS Code. Alcoholic beverages are not reimbursable by the County. The total cost of the meals for guests cannot exceed the amount permitted an employee. A detailed receipt is required for a guest meal.
5. Food Services/Tips: The maximum allowable tip for meals is 20% of the actual meal cost, excluding alcoholic drinks.
6. The following are the maximum rates established for meal reimbursement with receipts:

		In-State	Select Cities ²	Out-of-State	Select Cities ³
Breakfast	Travel must commence prior to 7:00 a.m. and extend beyond 8:30 a.m.	\$8.00	\$9.00	\$10.00	\$12.00
Lunch	Travel must commence prior to 11:30 a.m. and extend beyond 2:00 p.m.	\$12.00	\$13.00	\$15.00	\$18.00
Dinner	Travel must commence prior to 6:30 p.m. and extend beyond 8:00 p.m.	\$26.00	\$29.00	\$31.00	\$36.00
Total Reimbursement ⁴		\$46.00	\$51.00	\$56.00	\$66.00

² Select Cities in-state: Charlevoix, Mackinaw Island, Ann Arbor, Detroit, Pontiac and South Haven.

³ Select Cities out-of-state: Los Angeles, San Francisco, San Diego, Washington D.C., Chicago, New Orleans, Baltimore, Boston, Las Vegas, New York, Austin Texas, Dallas, Houston.

⁴ Total excludes a maximum 20% tip.



County of Ottawa

7. Days Defined: In computing the meal allowance for continuous travel of more than 24 hours, the hour of departure shall be considered as the beginning of the day, and for each full 24 hour period thereafter, the employee shall be entitled to the authorized maximum meal reimbursement with proper documentation, examples:
 - a. Departure – June 1, 9:00 a.m.
Return – June 5, 4:30 p.m.
Allowable – June 1, lunch and dinner; June 2 through June 4, three (3) full day meals; June 5, breakfast and lunch plus four (4) days lodging.
 - b. Departure – June 1, 3:00 p.m.
Return – June 2, 10:30 a.m.
Allowable – June 1, dinner and lodging, June 2 - breakfast.
- G. Travel Outside the Contiguous 48 States
1. Reimbursement for all expenses related to conferences or travel outside the contiguous 48 states must be approved in advance of the travel by the Finance and Administration Committee.

V. REVIEW PERIOD

The Internal Policy Review Team will review this Policy at least once every two years, and will make recommendations for changes to the Planning & Policy Committee.



County of Ottawa

JOB DESCRIPTIONS POLICY

I. POLICY

The goal of each Job Description for Ottawa County is to give a clear, concise and easily understood portrayal of the position. It is the policy of Ottawa County that job descriptions will be prepared when a new job or position is created or when an existing position is significantly altered. Revisions should be made as quickly as possible after a position's character changes or after a wage study is completed.

Job Descriptions shall be prepared by the Human Resources Department in concert with the involved department head. Each new or revised Job Description must be reviewed and approved by the Human Resources Director, and/or designee.

II. STATUTORY REFERENCES

None

III. COUNTY LEGISLATIVE OR HISTORICAL REFERENCES

The original Board policy on this subject matter was adopted in May 2005.

Board of Commissioners Resolution Number and Policy Adoption Date: April 8, 2008.

Board of Commissioner Review Date and Resolution Number:

Name and Date of Last Committee Review: Planning and Policy, March 13, 2008.

Last Review by Internal Policy Review Team: June 1, 2011



County of Ottawa

IV. PROCEDURE

1. The goal of each Job Description is to give a clear, concise and easily understood portrayal of the position. It must be logically organized, utilizing simple and straight forward language. It must concern only the duties and responsibilities required in the job, not the performance or characteristic of someone filling the position. It must leave no doubt in the reader's mind about the nature of the job. It must describe the particular environment in which the job is performed. It must include the processes, purpose and function of the job, its place in the County's organizational structure, the employee's authority and responsibility, and the process to which the job contributes. It must leave out unimportant, incidental, or occasional duties, except where specifically provided for or requested.
2. Each Job Description shall include the following information in a form designed by the Human Resources Department:
 - a. General Summary of Job: This should be a simple paragraph stating the main purpose and function of the position, as well as the reporting structure of the position.
 - b. Essential Job Functions: State the normal duties and responsibilities which an employee performs every day or at regular intervals. List these duties separately striving for concise one (1) sentence descriptions of each specific task.
 - c. Required Knowledge and Skills: This should include both technical and functional skills required for competent performance of this position. The skill or knowledge level required should also be included. (For example, basic knowledge, working knowledge, thorough working knowledge, etc.)
 - d. Education, Training, and Experience Required: The minimum education and/or specialized training required for the position, and years of experience in a particular field in lieu of an educational requirement.
 - e. Certifications and Licenses Required: This should include any mandatory or preferred licenses or certifications.
 - f. Specific physical requirements and standard working conditions. This should include any potential hazards or unusual work locations.
 - g. Status of the position as Exempt or Non-Exempt.
 - h. Classification and pay-grade of the position.



County of Ottawa

V. REVIEW PERIOD

The Internal Policy Review Team will review this Policy at least once every two years, and will make recommendations for changes to the Planning & Policy Committee.



County of Ottawa

PURCHASE OF MILITARY SERVICE CREDITS POLICY

I. POLICY

This policy outlines the eligibility of Ottawa County employees to purchase qualified active duty military service credits.

A. Employees Eligible on or before January 1, 2009:

The Ottawa County Board of Commissioners will approve allowing the purchase of up to four (4) years for active duty military service which occurred prior to January 1, 1999, for eligible benefited employees of the County who have at least ten (10) years of credited service with MERS. Commissioners must have eight (8) years of credited service with MERS.¹

Eligible employees under this section will have up until January 1, 2013 to purchase eligible military service credits. Payment due from the employee prior to allowing the purchase is 50% of the actuarial cost as determined by MERS.

B. Employees Eligible after January 1, 2009:

The Ottawa County Board of Commissioners will approve allowing the purchase of up to two (2) years for active duty military service which occurred prior to January 1, 1999, for eligible benefited employees of the County who have at least ten (10) years of credited service with MERS. Commissioners must have eight (8) years of credited service with MERS.

Eligible employees under this section will have up until January 1, 2013 to purchase eligible military service credits. Payment due from the employee prior to allowing the purchase is 50% of the actuarial cost as determined by MERS.

C. Employees hired after January 1, 2003:

Employees hired after January 1, 2003 may purchase military service credits in accordance with the MERS military service credit policy. The employee will be responsible for the full amount of the purchase with no employer contribution.

Service will not be granted for active military time which is or could be used for obtaining or increasing a benefit from another retirement system, a copy of the military discharge papers must be filed with the Human Resources Department with payment from the employee.

The Board of Commissioners further authorizes the submission of required individual Resolutions to MERS for implementation of this policy.

¹ Members of the Board of Commissioners have an eight (8) year vesting period.



County of Ottawa

II. STATUTORY REFERENCES

None

III. COUNTY LEGISLATIVE OR HISTORICAL REFERENCES

Board of Commissioners Resolution Number and Policy Adoption Date: December 8, 1998, B/C 98-359, 98-409/ Date reviewed: September 19, 2001.

Board of Commissioners Resolution Number and Policy Adoption Date: September 23, 2008, B/C 08-218

Board of Commissioners Resolution Number and Policy Adoption Date: May 24, 2011, B/C 11-136

Name and Date of Last Committee Review: Finance and Administration Committee, May 17, 2011

Last Review by Internal Review Committee: June 1, 2011

IV. REVIEW PERIOD

The Internal Policy Review Team will review this Policy at least once every two years, and will make recommendations for changes to the Planning & Policy Committee.



County of Ottawa

DE-AUTHORIZATION OF POSITIONS

I. POLICY

It is the intent of the County of Ottawa to carry out the duties and responsibilities of County government in an effective and cost efficient manner. Realizing that personnel costs (salary and benefits) are a primary expenditure associated with the provision of these services, it is imperative that effective human resources management be implemented so that efficiency and cost containment in all departments, offices and the courts is assured and maintained.

II. STATUTORY REFERENCES

The Board of Commissioners may establish such rules and regulations regarding the business concerns of the County as the Board considers necessary and proper. See: MCL 46.11(m); Act 156 of the Public Acts of 1851, as amended.

III. COUNTY LEGISLATIVE OR HISTORICAL REFERENCES

The original Board policy on this subject matter was adopted on 05/12/96.

Name and Date of Committee Review: Planning & Policy; February 9, 2006 (PP 06-007)

Board of Commissioners Review Date and Resolution Number: February 28, 2006 (B/C 06-059)

Board of Commissioners Adoption Date and Resolution Number: March 14, 2006 (B/C 06-076)

Last Review by Internal Policy Review Team: April 25, 2011

Related Policies: None



County of Ottawa

IV. PROCEDURE

- A. It will be the shared responsibility of the Human Resources Department and the various departments, offices and courts of County government to accomplish the above.
- B. It is the responsibility of the Human Resources Department to monitor on an ongoing basis the utilization of all positions. Such position control will include (but not be limited to) the following: position request and approval, job description and classification, recruitment and selection, performance review, and exit interviews.
- C. It is the responsibility of the Human Resources Department to monitor vacant positions within all departments, offices and courts. Departments, offices and courts will be assisted by the Human Resources Department to fill positions in a prompt and timely fashion. It will be the responsibility of the departments, offices and courts to provide the Human Resources Department written rationale for delaying the recruitment and selection process for a vacant position. Should such justification (and request for delay) not be submitted within sixty (60) days of the position being vacated, or be without merit in the opinion of the Human Resources Department, the position shall be de-authorized and steps shall be taken by the Human Resources Department to remove that position from the department's, office's or court's authorized roster of positions. Any and all County funding which supports that position will be removed from that department's, office's or court's budget.
- D. It is recognized there may be times due to budgetary constraints that a department, office or court would request to keep a position vacant for an indeterminate amount of time, retaining the ability to fill it in the future. In these circumstances, the department, office or court will submit a request with rationale to the Human Resources Department to keep the position vacant. Upon review and approval, the Human Resources Department will provide the department, office or court with a written response. The department, office or court will be allowed to keep the position vacant and retain the ability to fill it in the future, with the understanding that the department, office or court must provide a business need for the position to be filled, and the budget would accommodate the wages and fringes for the position.

V. REVIEW PERIOD

The Internal Policy Review Team will review this Policy at least once every two years, and will make recommendations for changes to the Planning & Policy Committee.



MEMORANDUM

Date: July 5, 2011
To: Ottawa County Board of Commissioners
From: John Scholtz, Parks and Recreation Director
RE: Update on Alcohol Use at the Weaver House

The Ottawa County Parks and Recreation Commission requested and received Board of Commissioners approval on March 23, 2010 to revise park rules to allow alcoholic beverages on a limited basis at selected indoor park reservation facilities and at selected Parks Commission functions. The Parks Commission indicated it would allow use of alcohol at the Weaver House for a one year trial period with strict regulations and report back to the Board of Commissioners following the trial period. Park rules related to alcohol use were revised to read as follows:

Section 8. ALCOHOLIC BEVERAGES

No person, while on Commission Park Property shall possess any alcoholic beverage of any kind except at specific times and at specific locations; by making application per established commission procedures; and being granted a permit by the Commission or its Agent.

In accordance with the rule change pertaining to Parks Commission functions, wine was served at the donor recognition event for the Nature Education Center in April, 2010. The event was successful and there were no issues related to alcohol use. There were no other Parks Commission sponsored events offering alcohol over the past year.

Following a year of where alcohol was allowed on a restricted basis at the Weaver House, the Parks Commission is pleased to report that the alcohol rule change and related procedures have worked well. The attached "Alcohol Rule Change Summary" outlines the alcohol related reservations held at the Weaver House in 2010 and to-date for 2011. As explained in the report, there have been no problems related to alcohol use at these reservation functions.

PROCEDURES AND CONTROLS – WEAVER HOUSE ALCOHOL RESERVATIONS

The following procedures are in place for reservations that includes the use of alcohol:

Memo

- The deposit required includes the standard \$250 deposit, and a \$250 alcohol deposit, \$500 total. This deposit is completely refundable unless damages or undue wear and tear, or rule violation(s) lead to withholding of part or all for damages and / or other expenses.
- The \$20 surcharge per reservation that includes alcohol, to cover additional staff time related to monitoring the reservation.
- A certificate of insurance (\$1 million minimum) would be required including general liability and alcohol liability which names Ottawa County as additional insured for the event.
- Specific rules relating to alcohol:
 - All applicable State and local laws and ordinances are in effect.
 - No underage drinking.
 - Beer and wine only.
 - Bottles, cans wine and boxes only.
 - Alcohol allowed in specified areas only.
 - Alcohol consumption must cease ½ hour before the end of an event.
 - No cash bars.
 - No pay for admission events.
- A bar tender service is required for parties over 50, by a licensed, insured, trained and pre-approved bartender service.
- The Ottawa County Parks Department monitors events as appropriate with park staff or an Ottawa County Deputy Reserve Officer.

CONCLUSION

Alcohol reservations were monitored closely the one year trial period following the rule change. No problems were reported with use of alcohol and the procedures as outlined above functioned well. The Parks Commission recommends continuing to offer alcohol on a special permit basis at the Weaver House and expanding alcohol reservations to additional carefully selected sites in the future. Future sites could include the recently acquired house at the Grand River Ravines site and the Connor Bayou house – both likely to be in demand for weddings and other special functions.

ALCOHOL RULE CHANGE SUMMARY

PARKS AND RECREATION

6/20/2011

In 2010 the Board approved a Parks and Recreation rule change to allow beer and wine at the Weaver House reservations and selected Parks Commission events.

Starting in 2010 beer and wine have been allowed at Weaver House events per established procedures and safeguards -- including an additional deposit of \$250 to cover damage and/or rule violations related to alcohol; a \$20 surcharge to help cover added administrative and staff costs, and insurance coverage including liquor liability. All events have been subject to monitoring by parks staff, which has been done judiciously.

In 2010, a total of 54 paid reservations were held at the Weaver House, of which the following seven events involved alcohol:

Reservation #	Date	Reservation Size	Bartender Service
3211	6/12/10	150	Seaway
3886	6/19/10	200	Seaway
4147	8/1/10	50	Seaway
3930	8/27/10	35	None
4398	8/28/10	125	Seaway
4109	10/2/10	60	Seaway
4427	12/25/10	36	None

A total of 32 events are currently scheduled for 2011 with the following eight involving alcohol:

Reservation #	Date	Reservation Size	Bartender Service
4811	1/22/11	30	None
4842	5/28/11	200	Mugs
5160	6/3/11	35	None
4678	6/18/11	100	Mugs
5613	7/16/11	100	Mugs
5137	8/27/11	100	Mugs
5263	9/10/11	60	Mugs
4855	12/25/11	35	None

We have had one Commission sponsored event that included alcohol – a ‘sneak preview’ in April of 2010 for major donors to the Nature Education Center which included the serving of wine.

We have experienced no problems with any of the reservations, or with the Commission sponsored event as a result of this rule change. Allowing alcohol with selected reservations and events seems to be very manageable, confirming our research of other municipalities who have experienced no problems with a similar alcohol policy. We would like to continue to allow alcohol at the Weaver House and at selected events, per established procedures.