San Mateo County Libraries

Agenda Item IV.

To: JPA Governing Board

From: Anne-Marie Despain, Director of Library Services

Danae Ramirez, Deputy Director of Library Services

Date: November 3, 2020

Meeting: November 9, 2020

Re: Approval of Library Policies

Background

As outlined in the Library Joint Powers Authority Agreement, the Library JPA Governing Board is responsible for creating, adopting and maintaining by-laws and related policies to provide for the conduct of library business as well as the services and programs of the system. San Mateo County Libraries policies provide the structure for the implementation of the Library's vision, mission and goals. A complete list of Board approved policies is attached. From time to time it is necessary to evaluate and update policies to reflect current library practices, uses and issues.

Additionally, under a staff services agreement between the Library JPA and County of San Mateo, all library staff are County employees and are responsible for following County policies including: Ethical Conduct, Political Activities, and Equal Employment Opportunity; these and other County Policies can be found at http://hr.smcgov.org/county-policies.

Discussion

Staff is recommending the approval of three policies.

Investment Policy

The Investment Policy provides guidance and protection to the Library JPA's cash and investments and promotes financial stewardship. The Investment Policy was last approved by the Governing Board on November 6, 2017 and was revised at that time to provide for periodic, instead of annual, review. The policy is being brought forward for review with no revisions.

Procurement Policy

It is recommended that the Library JPA adopt the revisions to the Procurement Policy to align with the recently revised County of San Mateo policy that increased Department Head approval threshold for purchases and contracts from over $100,000 to over $200,000. The revisions propose increasing the Library Directors approval threshold for purchases and contracts from up to $100,000 to up to $200,000 and adding language

stating the Library's commitment to solicit proposals from minority, women owned, and small businesses. The County's Open Data Portal continues to provide an easy accessible view of library expenditures and activity data.

Sustainability Policy
It is recommended that the Library JPA adopt revisions to the Sustainability Policy to encourage employees to consider the environment when conducting library business. The Sustainability Policy was last approved by the Governing Board on November 4, 2019 to establish a formal policy and allow our libraries to become Green Certified. This policy has been reviewed by the Office of Sustainability and updated to strengthen our commitment to environmental stewardship.

Fiscal Impact

There is no fiscal impact associated with approving the recommended Library Policies.

Recommendation

Recommend Library JPA Governing Board approve the Investment Policy, Procurement Policy and Sustainability Policy. Operations Committee members present at the November 3, 2020, meeting concurred with this recommendation.

Attachments

1. Library Policies Approved by the Governing Board
2. Investment Policy (No Changes)
3. Procurement Policy (Recommended and Revisions)
4. Sustainability Policy – (Recommended and Revisions)

Library Policies

- Behavior Policy - November 7, 2016
- Child Safety Policy - November 7, 2016
- Communications Policy – February 5, 2018
- Community Bulletin Board Policy – November 7, 2016
- Conflict of Interest Policy – November 5, 2018
- Fund Balance Policy – June 12, 2017
- Furnishings and Equipment Funding Policy – June 9, 2014
- Gift and Donation Policy – November 5, 2018
- Guidelines for Addressing the JPA – November 2005
- Implied Consent Policy – November 7, 2016
- Investment Policy – November 6, 2017
- Library Building Planning Policy – November 7, 2011
- Library Renovations Policy – September 8, 2008
- Material Access and Selection Policy – November 5, 2018
- Privacy Policy – November 4, 2019
- Procurement Policy – November 6, 2017
- Public Computers, Devices and Internet Access Policy – November 7, 2016
- Suspension of Library Privileges –November 19, 2002
- Sustainability Policy – November 4, 2019
- Website Policy – November 7, 2016

<u>INVESTMENT POLICY</u> – (No changes)

The purpose of this investment policy is to provide guidance and protection to the San Mateo County Library Joint Powers Authority's (Library JPA's) cash and investments, and promote prudent financial stewardship.

The basic premise underlying the Library JPA's Investment Policy is to ensure that money is always available when needed. It shall also be the policy of the Library JPA to diversify its investment portfolio to ensure the maximum safety of Library JPA assets. The Library JPA shall have funds not required for immediate expenditure invested in compliance with state law and this policy.

Investment Criteria

The criteria for selecting investments in order of priority are:

1. Safety of Principal: Safety of principal is the foremost objective of the investment program. Cash and all investments should be undertaken in a manner that seeks primarily to ensure the preservation of capital.
2. Liquidity: Sufficient cash balances and investments amounts shall remain liquid to meet the required timing of all operating requirements that may be reasonably anticipated including cash outflows for operating expenses and funding of capital projects.
3. Yield: The cash investment portfolio shall be designed with the objective of attaining a reasonable or market rate of return, taking into account the primary objectives of safety and liquidity.

Prudent Investor Standard

The Library JPA adheres to the guidance provided by the "prudent investor standard," which obligates a fiduciary to ensure that investments shall be made with the exercise of that degree of judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of individual business matters, not for speculation but for investment. Exercise of prudence considers the probable safety of capital as well as the probable income to be delivered.

This standard of prudence shall be applied in the context of managing an overall portfolio. Investment officials acting in accordance with written procedures and the investment policy and exercising due diligence shall be relieved of personal responsibility for an individual security's credit risk or market price changes, provided that the deviations from expectation are reported in a timely fashion, and appropriate action is taken to control adverse developments.

Acceptable Investment Instruments

Investments will be made in several instruments to lessen risk by diversifying the Library JPA's portfolio. The Library JPA's investment portfolio may include the following instruments:

1. The San Mateo County Investment Pool (County Pool)
2. The State of California Local Agency Investment Fund (LAIF).

Reporting

The Director of Library Services shall submit an annual investment report to the JPA Governing Board on the status of the Library JPA's investment portfolio. The report will provide information as to the type of investment, the amount of money invested with various institutions, purchase and maturity dates and interest rate yield on investments in accordance with the Government Code. The report shall state if the Library JPA investments are in compliance with this policy and able to meet its cash flow obligation.

Delegation of Authority

Pursuant to Government Code 53600 et. Seq., with the annual adoption of this Investment Policy, the JPA Governing Board assigns the responsibility of determining the portion of surplus funds to invest in the State of California Local Agency Investment Fund (LAIF) to the Director of Library Services. Daily management responsibility of the investment program may be delegated to the Financial Services Manager, who shall establish procedures for the operation consistent with this investment policy. Business controls shall be established within the organization that utilizes adequate signature controls, separation of duties and adequate audit trail of cash disbursements and transfers of cash balances.

Adoption

This policy shall be reviewed periodically with the JPA Governing Board to ensure adequacy related to the objectives of safety, liquidity and yield and its adherence to applicable laws. The JPA Governing Board will review and approve all changes to this policy.

<u>SUSTAINABILITY POLICY</u> - (Recommended)

Sustainability is an important goal of San Mateo County Libraries. We strive to integrate innovative green practices in our policies, purchasing, services, and buildings.

San Mateo County Libraries seek outcomes that conserve natural resources, educate staff and the community about the environment, create environmentally sustainable spaces, and reward environmentally conscious manufacturers and vendors.

Strive to conserve natural resources by reducing, reusing and recycling when possible.

This means that we will:

- Recycle all paper, cardboard, wood, metals, bottles, plastics, packaging and cans
- Compost food and food soiled paper
- Use washable and reusable items instead of disposable items
- Strive to host zero waste meetings or events. Reusable cutlery, plates, cups are encouraged
- Practice "right sized" ordering to prevent food waste. When food or meals are required, just enough food will be ordered
- Use an electronics disposal method that will reuse, repair, and recycle products

Strive to reduce our carbon footprint.

This means we will:

- Encourage the use of public transit, bike to work, and ridesharing
- Reduce single occupancy road travel by conducting online meetings
- Promote commute.org Star Award challenges to incentivize alternative transportation
- Offer telework and flex work for library staff who do not have to be onsite
- Transition library vehicles to hybrid or electronic vehicles and look for opportunities to promote electric vehicle charging at library sites
- When the Library offers food to the community, we will consider the full cycle of the food we serve, including how it is grown, harvested, packaged, transported, and disposed of

Strive to provide education and awareness about sustainability and the environment.

This means that we will:

- Promote environmental education provided by the County's Office of Sustainability. This includes programs such as The Sustainability Academy, a free education and outreach program offered by the County of San Mateo designed to raise awareness and empower San Mateo County community members with the knowledge and skills to promote sustainability.
- Strongly encourage innovation in our thinking about community program development and approach to sustainability. This will involve deliberate consideration of sustainable practices when planning and executing a program.
- We will offer programming and services to the public that incorporate sustainable values. This may include partnering with other organizations to share information with the public about sustainable practices or the biodiversity in our area.

Strive to create environmentally sustainable spaces.

This means that we will:

- Conserve energy and water when possible
- Use natural lighting where feasible
- Turn off lighting in unoccupied rooms
- Reduce the use of paper towels in the restrooms

San Mateo County Libraries provide services at library buildings that are owned and maintained by our member cities and/or the County and works in partnership with them to support their sustainable building practices.

Strive to make sustainable purchases.

This means that we will:

- When purchasing a product or service, San Mateo County Libraries' employees will evaluate the environmental and financial cost of a product over the course of its life
- Evaluate product/service durability, useful lifespan, maintenance needs, and environmental impact of use or disposal as outlined in the San Mateo County Libraries' Purchasing Policy

SUSTAINABILITY POLICY - **(Revisions)**

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~~**We Strive to Conserve Natural Resources**~~
~~San Mateo County Libraries~~ ~~s~~**Strive to conserve natural resources by reducing, reusing and recycling when possible.**
This means that ~~staff~~ we will:

- ~~Reduce single occupancy road travel by conducting online meetings~~
- Recycle all paper, cardboard, wood, metals, bottles, plastics, packaging and cans
- Compost food and food soiled paper
- Use washable and reusable items instead of disposable items
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- Transition library vehicles to hybrid or electronic vehicles and look for opportunities to promote electric vehicle charging at library sites
- When the Library offers food to the community, we will consider the full cycle of the food we serve, including how it is grown, harvested, packaged, transported, and disposed of

~~**We Strive to Promote Environmental Education**~~
~~San Mateo County Libraries strive to educate employees and the community about the environment.~~

~~This means that the community will:~~

- ~~Be offered programming or services that incorporate sustainable values. This may include partnering with other organizations focused on sustainability to share information with the public about sustainable practices and/or the biodiversity in~~

~~our area. Or, it may involve deliberate consideration of sustainable practices when planning and executing a program~~.

~~This means that staff will:~~

- ~~Be encouraged to use public transit, bike to work and carpool~~
- ~~Be supported to learn about resource conservation, recycling, composting, and sustainable purchasing~~

~~San Mateo County Libraries occasionally offer food as part of programming. When the Library offers food to the community, we will consider the full cycle of the food we serve, including how it is grown, harvested, packaged, transported, and disposed of.~~

Strive to provide education and awareness about sustainability and the environment.

This means that we will:

- Promote environmental education provided by the County's Office of Sustainability. This includes programs such as The Sustainability Academy, a free education and outreach program offered by the County of San Mateo designed to raise awareness and empower San Mateo County community members with the knowledge and skills to promote sustainability.
- Strongly encourage innovation in our thinking about community program development and approach to sustainability. This will involve deliberate consideration of sustainable practices when planning and executing a program.
- We will offer programming and services to the public that incorporate sustainable values. This may include partnering with other organizations to share information with the public about sustainable practices or the biodiversity in our area.

We Strive to Create Environmentally Sustainable Spaces.
~~San Mateo County Libraries s~~**Strive to create environmentally sustainable spaces**

This means that ~~staff~~ we will:

- Conserve energy and water when possible
- Use natural lighting where feasible
- Turn off lighting in unoccupied rooms
- Reduce the use of paper towels in the restrooms

~~San Mateo County Libraries support our eleven cities and the County in their efforts to create and maintain sustainable buildings.~~ San Mateo County Libraries provide services at library buildings that are owned and maintained by our member cities and/or the County and works in partnership with them to support their sustainable building practices.

~~**We Reward Environmentally Conscious Manufacturers**~~
Strive to make sustainable purchases.

This means that we will:

- When purchasing a product or service, San Mateo County Libraries' employees will evaluate the environmental and financial cost of a product over the course of its life.
- Evaluate product/service durability, useful lifespan, maintenance needs, and environmental impact of use or disposal as outlined in the San Mateo County Libraries' Purchasing Policy.

~~Approved by the Library JPA Governing Board on Nov. 4, 2019~~

PROCUREMENT POLICY - (Recommended)

Background and Purpose

In all matters related to procurement, the San Mateo County Libraries is committed to ensuring that goods and services are of high quality, available when needed, and competitively priced. We are dedicated to maintaining the highest standards of professional behavior and ethical conduct in public purchasing.

This policy is intended to detail the process by which the Library will obtain goods (tangible) and services (non-tangible) and also establishes guidelines and internal controls to provide reasonable assurance that the procurement process is fair, open and competitive.

General Provisions

1. Administration: The Director of Library Services is ultimately responsible for procurement administration to ensure full compliance with these activities and all established terms and conditions.

2. Local Preference: When the combination of price, quality and terms and conditions are substantially equal, the Library shall give preference in purchasing to San Mateo County-based goods and service providers.

3. Minority, Women Owned, and Small Business Solicitations: Where possible, efforts should be made to solicit proposals from small businesses, and women- and/or minority-owned businesses.

4. Term: The length of the contract term (beginning and ending date) may vary depending on the type of contract, but the term must not be more than five years. The maximum five-year term includes any amendments to the contract term. Language must also include a detailed scope of work, a description of the deliverables, due dates, payment amount, payment rates, payment process and schedule.

5. Splitting Contracts: Efforts to split a contract into two or more contracts for the purpose of circumventing dollar limits on approval processes or other requirements are prohibited.

6. Insurance Requirements: The Contractor shall take out and maintain during the life of this Agreement such Bodily Injury Liability and Property Damage Liability Insurance as shall protect him/her while performing work covered by this Agreement from any and all claims for damages for bodily injury, including accidental death, as well as any and all operations under this Agreement, whether such operations be by himself/herself or

by any subcontractor or by anyone directly or indirectly employed by either of them. Such insurance shall be combined single limit bodily injury and property damage for each occurrence and shall not be less than $1,000,000. All contractors performing work/services with the County Library must have a minimum of $1 million general liability insurance, $1 million auto insurance, and statutory workers' compensation insurance, and the County Library must be named as an additional insured by insurer-issued written endorsement, a copy of which shall be provided to the Director of Library Services prior to initiation of work by contractor. Carrier's liability insurance at $0.60 per pound, per item will also be provided.

7. Legal Review: Contracts for services and vendor agreements above $200,000, or agreements that do not use the Library's standard templates, shall be reviewed by the Library's legal counsel to approve as to form and legality.

8. Authorized Signatures:
The following are authorized to approve invoices based on the amounts listed below:

Library Managers:	$4,999 and Below
Director of Library Services	$200,000 and Below
Chair, Library JPA Governing Board	$200,001 and Above

The following are authorized to execute agreements, contracts, and amendments or change orders based on the amounts listed below:

Director of Library Services	$200,000 and Below
Chair, Library JPA Governing Board	$200,001 and Above

The value of an agreement shall be determined by the total amount of the agreement. For example, if a contract is for $120,000 per year for a total of two years, its value is $240,000.

9. Contract Amendments: If an existing current contract requires a change, the contract must be amended. The amendment then becomes part of the existing contract. Examples of changes include an extension of the term, a change in the amount of the contract, modifications to the scope of work, or new standard contract language that was not in place at the time of the original contract.

The requirements described in this memorandum also apply to contract amendments. If an amendment causes a contract's total payment amount to exceed $200,000, all requirements for contracts exceeding $200,000, including the requirement for approval by the JPA Governing Board Chair, must be met. Contract amendments must not be used to circumvent solicitation requirements when a contract's total payment amount would be reasonably expected to exceed $200,000.

If a project under contract is underway and extenuating circumstances require an amendment that causes the contract total amount to exceed $200,000, an exception to the competitive process, where legally justified, may be approved by the JPA Governing Board Chair.

10. Library as Independent Contractor: When the Library receives financial compensation from a third party for the Library's provision of services, the Director of Library Services is authorized to approve and execute agreements $200,000 and below. All contracts in which the Library receives more than $200,000 must be approved by the Chair of the Library JPA Governing Board.

Selection Process for Procuring Services

Services refer to professional and non-professional services that provide support to and facilitate Library operations.

1. Services $4,999 and Below: A formal Request for Proposal (RFP) process is not required. However, internal procedures should be employed to ensure that the selection process is fair, that the provider is qualified, and that the cost is competitive.

2. Services $5,000 to $200,000: A formal RFP process is not required. However, staff are expected to exercise their best efforts to obtain a minimum of three quotes from potential providers. The results of another public agency's competitive process may also be used. Staff must document how and why each provider was selected.

3. Services $200,001 and Above: This category requires that a formal Request for Proposals (RFP) process be followed. RFPs shall be posted on the Library's website along with all answers to questions submitted by potential vendors. The purpose of this process is to ensure that the Library receives the best value in obtaining services. Another purpose of the RFP is to encourage competition and ensure that all qualified providers are given an opportunity to be considered. The determination of "best value" is not based solely on the lowest price or the highest quality. It involves a subjective weighting of efficiency, quality, and economy, and a recommendation as to how the services might best be provided. The outcome of the evaluation of proposals should be regarded as the recommendation of the provider with whom negotiations will be initiated regarding the work and the terms of the contract. The results of another public agency's competitive process may also be used.

Contracts for professional services will generally be awarded pursuant to the above guidelines; however, it is recognized that the Library's need for consultant services will vary from situation to situation, and accordingly, flexibility will be provided in determining the appropriate evaluation and selection process to be used in each specific circumstance.

Selection Process for Procuring Goods

Goods refer to the goods, materials, software, equipment, furniture, supplies and related services procured by the Library.

1. Goods $1 to $4,999: Specific purchasing requirements are not ordinarily expected for this level of purchase. However, the use of competitive quotations, when reasonably practical, ensures the acquisitions are of sound value and guards against bias.

2. Goods $5,000 to $200,000: This category requires that informal or open market procedures be followed. An open market solicitation is used to purchase goods by soliciting from any available source, and whenever practical be based on a least three quotes and awarded to the lowest and most responsive and responsible provider. Staff must document how and why goods were selected. The results of another public agency's competitive process may also be used. An open-market blanket purchase order may be established for goods for which the Library has a recurring need on an "as-needed" basis.

3. Goods $200,001 and Above: This category requires that a formal Request for Quotations (RFQ) process be followed. RFQs shall be posted on the Library's website along with all answers to questions submitted by potential vendors. Bids are to be evaluated based on the requirements and criteria set forth in the RFQ. The evaluation shall be based on the face value of the bid and, when applicable, consider the following cost factors: the total bid price including discounts, the unit or extended price, hour rates for specified personnel, maintenance costs and warranty provisions, the cost and rate of freight shipping and handling, assembly and start up. The evaluation shall also include consideration of the following responsibility and responsiveness factors when applicable: general reputation and experience of the bidder, adherence to the requirements and condition of the RFQ, quality and quantity of merchandise offered, compatibility with existing systems, overall completeness of the commodity line offered and delivery or completion date. After the bids are evaluated, the award shall be made to the lowest responsible responsive bidder. The results of another public agency's competitive process may also be used. An open-market blanket purchase order may be established for goods for which the Library has a recurring need on an "as-needed" basis.

Exceptions

The competitive procurement requirements of this policy may not apply if, under particular circumstances, an exception is warranted and legally justified. If an exception applies, written approval of the exception must be obtained from the Director of Library Services.

The following are examples of circumstances that may be considered in authorizing case-by-case exceptions to this policy. These options should only be utilized when justified and necessary to meet the Library's needs and supported by objective analysis and documentation.

- Sole Source and Single Source procurements are used when obtaining products or services. A Sole Source procurement occurs if it has been determined that there is only one source for the required product or service. A Single Source procurement is a sourcing method used to procure a product or service from one source, without soliciting competition, even though there are other vendors that can provide the product or service.
- Competition is precluded because of the existence of patent rights, copyrights, or similar circumstances and there is no equivalent item or service.
- The procurement is for replacement parts or components for equipment, and no information or data is available to ensure that the parts or components obtained from another supplier will perform the same function in the equipment as the part or component to be replaced.
- The procurement is for upgrades, enhancements or additions to hardware or for enhancements or additions to software, and no information or data is available to ensure that equipment or software from different manufacturers or developers will be as compatible as equipment or software from the original manufacturer(s) or developer(s), or would void or invalidate a manufacturer's warranty or guarantee.

PROCUREMENT POLICY - (Revisions)

Background and Purpose

In all matters related to procurement, the San Mateo County Libraries is committed to ensuring that goods and services are of high quality, available when needed, and competitively priced. We are dedicated to maintaining the highest standards of professional behavior and ethical conduct in public purchasing.

This policy is intended to detail the process by which the Library will obtain goods (tangible) and services (non-tangible) and also establishes guidelines and internal controls to provide reasonable assurance that the procurement process is fair, open and competitive.

General Provisions

1. Administration: The Director of Library Services is ultimately responsible for procurement administration to ensure full compliance with these activities and all established terms and conditions.

2. Local Preference: When the combination of price, quality and terms and conditions are substantially equal, the Library shall give preference in purchasing to San Mateo County-based goods and service providers.

3. Minority, Women Owned, and Small Business Solicitations: Where possible, efforts should be made to solicit proposals from small businesses, and women- and/or minority-owned businesses.

4. Term: The length of the contract term (beginning and ending date) may vary depending on the type of contract, but the term must not be more than five years. The maximum five-year term includes any amendments to the contract term. Language must also include a detailed scope of work, a description of the deliverables, due dates, payment amount, payment rates, payment process and schedule.

5. Splitting Contracts: Efforts to split a contract into two or more contracts for the purpose of circumventing dollar limits on approval processes or other requirements are prohibited.

6. Insurance Requirements: ~~All contractors must have a minimum of $1 million general liability insurance, $1 million auto insurance if travel is part of providing services, and statutory limits for workers' compensation insurance if the provider has two or more employees. Any waiver or modification of these requirements must be approved by the Director of Library Services. Professional liability insurance is required on contracts where contractors are providing certain types of professional services. The Library must be named as an additional insured on the contractor's general liability policy with~~

~~a separate Insurance Endorsement from the insurance carrier.~~ The Contractor shall take out and maintain during the life of this Agreement such Bodily Injury Liability and Property Damage Liability Insurance as shall protect him/her while performing work covered by this Agreement from any and all claims for damages for bodily injury, including accidental death, as well as any and all operations under this Agreement, whether such operations be by himself/herself or by any Subcontractor or by anyone directly or indirectly employed by either of them. Such insurance shall be combined single limit bodily injury and property damage for each occurrence and shall not be less than $1,000,000. All contractors performing work/services with the County Library must have a minimum of $1 million general liability insurance, $1 million auto insurance, and statutory workers' compensation insurance, and the County Library must be named as an additional insured by insurer-issued written endorsement, a copy of which shall be provided to the Director of Library Services prior to initiation of work by contractor. Carrier's liability insurance at $0.60 per pound, per item will also be provided.

7. Legal Review: Contracts for services and vendor agreements above ~~$100,000~~$200,000, or agreements that do not use the Library's standard templates, shall be reviewed by the Library's legal counsel to approve as to form and legality.

8. Authorized Signatures:
The following are authorized to approve invoices based on the amounts listed below:

Library Managers:	$4,999 and Below
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Chair, Library JPA Governing Board	$200,001 and Above

The following are authorized to execute agreements, contracts, and amendments or change orders based on the amounts listed below:

~~Library Managers~~	~~$4,999 and Below~~
Director of Library Services	~~$100,000~~$200,000 and Below
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The value of an agreement shall be determined by the total amount of the agreement. For example, if a contract is for ~~$60,000~~$120,000 per year for a total of two years, its value is ~~$120,000~~$240,000.

9. Contract Amendments: If an existing current contract requires a change, the contract must be amended. The amendment then becomes part of the existing contract. Examples of changes include an extension of the term, a change in the amount of the contract, modifications to the scope of work, or new standard contract language that was not in place at the time of the original contract. ~~If a current contract under~~

~~$100,000 is amended to a dollar amount over $100,000, the Library must submit the amendment to the Chair of the JPA Governing Board for approval and signature~~.

The requirements described in this memorandum also apply to contract amendments. If an amendment causes a contract's total payment amount to exceed $200,000, all requirements for contracts exceeding $200,000, including the requirement for approval by the JPA Governing Board Chair, must be met. Contract amendments must not be used to circumvent solicitation requirements when a contract's total payment amount would be reasonably expected to exceed $200,000.

If a project under contract is underway and extenuating circumstances require an amendment that causes the contract total amount to exceed $200,000, an exception to the competitive process, where legally justified, may be approved by the JPA Governing Board Chair.

10. Library as Independent Contractor: When the Library receives financial compensation from a third party for the Library's provision of services, the Director of Library Services is authorized to approve and execute agreements ~~$100,000~~$200,000 and below. All contracts in which the Library receives more than ~~$100,000~~$200,000 must be approved by the Chair of the Library JPA Governing Board.

Selection Process for Procuring Services

Services refer to professional and non-professional services that provide support to and facilitate Library operations.

4. Services $4,999 and Below: A formal Request for Proposal (RFP) process is not required. However, internal procedures should be employed to ensure that the selection process is fair, that the provider is qualified, and that the cost is competitive.

5. Services $5,000 to ~~$100,000~~$200,000: A formal RFP process is not required. However, staff are expected to exercise their best efforts to obtain a minimum of three quotes from potential providers. The results of another public agency's competitive process may also be used. Staff must document how and why each provider was selected.

6. Services ~~$100,001~~$200,001 and Above: This category requires that a formal Request for Proposals (RFP) process be followed. ~~A formal RFP process must be conducted when the contract amount is expected to exceed $100,001.~~ RFPs shall be posted on the Library's website along with all answers to questions submitted by potential vendors. The purpose ~~for~~ of this process is to ensure that the Library receives the best value in obtaining services. Another purpose of the RFP is to encourage competition and ensure that all qualified providers are given an opportunity to be considered. The determination of "best value" is not based solely on the lowest price or the highest quality. It involves a subjective weighting of efficiency, quality, and economy, and a recommendation as to how the services might best be provided. The outcome of the

evaluation of proposals should be regarded as the recommendation of the provider with whom negotiations will be initiated regarding the work and the terms of the contract. The results of another public agency's competitive process may also be used.

Contracts for professional services will generally be awarded pursuant to the above guidelines; however, it is recognized that the Library's need for consultant services will vary from situation to situation, and accordingly, flexibility will be provided in determining the appropriate evaluation and selection process to be used in each specific circumstance.

Selection Process for Procuring Goods

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4. Goods $1 to $4,999: Specific purchasing requirements are not ordinarily expected for this level of purchase. However, the use of competitive quotations, when reasonably practical, ensures the acquisitions are of sound value and guards against bias.

5. Goods $5,000 to ~~$100,000~~$200,000: This category requires that informal or open market procedures be followed. An open market solicitation is used to purchase goods by soliciting from any available source, and whenever practical be based on a least three quotes and awarded to the lowest and most responsive and responsible provider. Staff must document how and why goods were selected. The results of another public agency's competitive process may also be used. An open-market blanket purchase order may be established for goods for which the Library has a recurring need on an "as-needed" basis.

6. Goods ~~$100,001~~$200,001 and Above: This category requires that a formal ~~or Invitation to Bid (ITB)~~ Request for Quotations (RFQ) process be followed. RFQs shall be posted on the Library's website along with all answers to questions submitted by potential vendors. Bids are to be evaluated based on the requirements and criteria set forth in the ~~ITB~~RFQ ~~which may include criteria to determine suitability for a particular purpose~~. The evaluation shall be based on the face value of the bid and, when applicable, consider the following cost factors: the total bid price including discounts, the unit or extended price, hour rates for specified personnel, maintenance costs and warranty provisions, the cost and rate of freight shipping and handling, assembly and start up. The evaluation shall also include consideration of the following responsibility and responsiveness factors when applicable: general reputation and experience of the bidder, adherence to the requirements and condition of the ~~ITB~~RFQ, quality and quantity of merchandise offered, compatibility with existing systems, overall completeness of the commodity line offered and delivery or completion date. After the bids are evaluated, the award shall be made to the lowest responsible responsive bidder. The results of another public agency's competitive process may also be used. An open-market blanket purchase order may be established for goods for which the Library has a recurring need on an "as-needed" basis.

Exceptions

The competitive procurement requirements of this policy may not apply if, under particular circumstances, an exception is warranted and legally justified. If an exception applies, written approval of the exception must be obtained from the Director of Library Services.

The following are examples of circumstances that may be considered in authorizing case-by-case exceptions to this policy. These options should only be utilized when justified and necessary to meet the Library's needs and supported by objective analysis and documentation.

- Sole Source and Single Source procurements are used when obtaining products or services. A Sole Source procurement occurs if it has been determined that there is only one source for the required product or service. A Single Source procurement is a sourcing method used to procure a product or service from one source, without soliciting competition, even though there are other vendors that can provide the product or service.
- Competition is precluded because of the existence of patent rights, copyrights, or similar circumstances and there is no equivalent item or service.
- The procurement is for replacement parts or components for equipment, and no information or data is available to ensure that the parts or components obtained from another supplier will perform the same function in the equipment as the part or component to be replaced.
- The procurement is for upgrades, enhancements or additions to hardware or for enhancements or additions to software, and no information or data is available to ensure that equipment or software from different manufacturers or developers will be as compatible as equipment or software from the original manufacturer(s) or developer(s), or would void or invalidate a manufacturer's warranty or guarantee.

~~Approved by the Library JPA Governing Board on November 6, 2017.~~