Menard County Purchasing Policy

Menard County’s purchasing mission is to obtain quality goods, supplies, materials, equipment and services at the lowest and best price while operating in accordance with Texas and United States laws that apply to county purchasing.

Employees shall avoid any activity that would create a conflict of interest between the employee and Menard County (“County.) It is considered a breach of ethical standards for an employee to participate directly or indirectly in a procurement when the employee knows that the employee, a member of the employee’s family, a business or organization in which the employee or employee’s family has a financial interest is involved in the procurement and the procurement is inconsistent with the proper discharge of the employee’s duties.

No person shall offer, give, or agree to give any employee or former employee of the County, or for any employee or former employee of the County to solicit, demand, accept or agree to accept from another person, a gratuity or an offer of employment in connection with any decision, approval. disapproval, recommendation, preparation of any part of a program requirement or a purchase request, influencing the content of any specification or procurement standard, rendering of advice, investigation, auditing, or in any other advisory capacity in any proceeding or application, request for ruling, determination, claim or controversy, or other particular matter, pertaining to any program requirement or a contract or subcontract, or to any solicitation or bid pending before this government.

It shall be a breach of ethics for any payment, gratuity, or offer of employment to be

made by or on behalf of a subcontractor under a contract to the prime contractor or higher tier

subcontractor for any contract for the County, or to any person associated therewith, as an inducement for the award of a contract, subcontract or order. It shall be a breach of ethical standards for a person to be retained, or to retain a person, to solicit or secure the County contract upon an agreement or understanding for a commission, percentage, brokerage, or contingent fee, except for retention of bona fide employees or bona fide established commercial selling agencies for the purpose of securing business.

Purchasing categories based on anticipated price:

1. Purchases less than $1,500:

Department heads may exercise discretion during the purchasing and acquisition process.

1. Purchases of $1,500 or more:

Department heads may exercise discretion during the purchasing and acquisition process and communicate with Menard County Treasurer for cash flow planning purposes.

1. Purchases of $100,000 or more:

Formal sealed competitive bids or proposals must be secured, following the guidelines of Subchapter C of Chapter 262 of the Texas Local Government Code. A few exemptions to the competitive bidding process are available, and those should be documented by the requesting department before procurement. Bids will be evaluated by the Commissioner’s Court and the authority to accept or reject a bid lies exclusively with the Commissioner’s Court. The County Purchasing Act gives the Commissioners Court the discretion to grant exemption from competitive bidding, e.g. in cases of emergency or public calamity, personal or professional services, land or right of way acquisitions, etc. Numerous exceptions are permitted as set forth in the County Purchasing Act or, if applicable, in Section 271.056 of the Local Government Code and should be documented prior to purchase. In procuring professional services or in the case of any other exemption, Menard County shall: (1) select the most highly qualified provider of those services based on demonstrated competence and qualifications; and (2) attempt to negotiate with that provider a contract at a fair and reasonable price.

Cooperative purchasing programs and interlocal agreements should be considered when available in order to determine the best and lowest price. Elected officials or their approved subordinates shall confer with the County Treasurer or Auditor to ensure that sufficient funds exist in the specific line item from which they wish to purchase an item. If sufficient funds do not exist in that specific line item, arrangements for an intra-departmental budget transfer will be discussed with the County Treasurer or Auditor and arrangements made for that transfer of funds.

**Any purchase requiring a contract, Agreement, or LEase, regardless of the amount, must be submitted to County Attorney and approved by the Commissioner’s COURT. All contracts, leases, or agreements must be signed by the County Judge after appropriate approval.**

All invoices and/or receipts shall be approved by the department head, or authorized personal. Such invoices/receipt shall be submitted to the Treasures office to authorize the process for payment. All payments are subject to review by the County Treasurer.

Menard County, as a political subdivision of the State of Texas, is tax exempt.

Questions regarding the purchasing policy or its applicability to any specific purchase should be directed to the County Treasurer.