

RESOLUTION # 95-60

CDBG PROCUREMENT POLICY

WHEREAS, the Torrance County Board of Commissioners, Torrance County, New Mexico, deem it necessary to adopt the CDBG Procurement Policy as follows:

A. CODE OF CONDUCT

No employee, officer, or agent of Torrance County shall participate in the selection or in the award or administration of a contract supported by CDBG funds if a conflict of interest, real or apparent, would be involved. Such a conflict could arise if the employee, officer or agent; any member of his/her immediate family; his/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 officer, employee, or agent of the grantee shall solicit or accept gratuities, favors or anything of monetary value from contractors, potential contractors, or parties to subagreements, except where the financial interest is not substantial or the gift is an unsolicited item of nominal intrinsic value.

Any alleged violations of these standards of conduct shall be referred to the District Attorney. Where violations appear to have occurred, the offending employee, officer or agent shall be subject to disciplinary action, including but not limited to: dismissal or transfer; when violations or infractions appear to be substantial in nature, the matter may be referred to appropriate officials for criminal investigation and possible prosecution.

B. PROCUREMENT PROCEDURES

The grantee designated purchasing officer responsible for procurement of services, supplies, equipment or construction obtained with CDBG funds shall review all proposed procurement actions to avoid the purchase of unnecessary or duplicative items. Such reviews shall consider consolidation or breaking out to obtain a more economical purchase. When determined appropriate by the grantee, an analysis to determine which approach would be the most economical shall be undertaken. Procurement requirements, however, may not be divided so as to constitute a small purchase.

The purchasing officer shall take affirmative steps to assure that small and minority firms, and women's business enterprises, are solicited whenever they are potential qualified sources. The purchasing officer shall also consider the feasibility of dividing total requirements into smaller tasks or quantities so as to permit maximum

95-60-A

participation by small and minority firms, and women's business enterprises. Where permitted by regulations, delivery schedules will be developed which will include participation by such businesses. Where possible, evaluation criteria will include a factor with an appropriate weight for these firms.

Procurements shall be reviewed by staff to avoid unnecessary and duplicative purchases, and to insure that costs are reasonable.

Invitations for Bids or Requests for Proposals shall be clearly written and shall fully describe the technical requirements or services.

Positive efforts shall be made to use small and/or minority owned businesses.

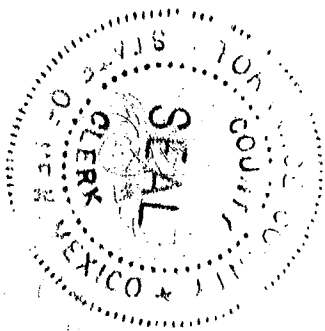
The method of contracting shall be appropriate to the specific procurement. Cost plus percentage of cost contracts are specifically prohibited if CDBG funds are involved.

Construction procurements above \$5,000 shall be advertised in accordance with state law. Contracts shall be awarded to the lowest responsible bidder (13-1-82 NMSA). Bids may be rejected when it is in the best interest of Torrance County.

NOW THEREFORE BE IT RESOLVED, that Torrance County Board of Commissioners move to adopt the above CDBG Procurement Policy.

APPROVED, ADOPTED, AND PASSED THIS 8 day of November, 1995.

Torrance County Commission



Bill Bell
Chairman

Ray Green
Member

Rodney Larson
Member

Attest

Carla Clayton
Clerk of the Board