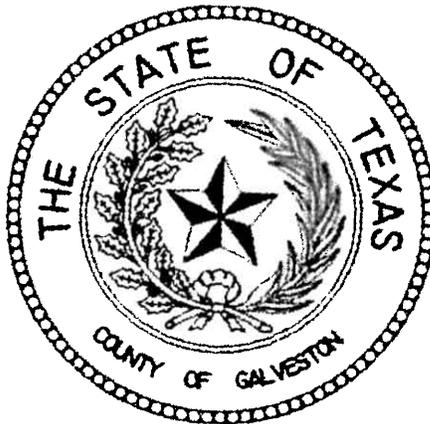




County of Galveston Purchasing Agent Policies & Procedures Manual

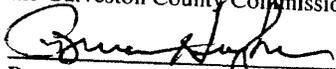
Rev. 2.0 (May 11, 2010)

Prepared by:
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Purchasing Agent
Galveston County, Texas



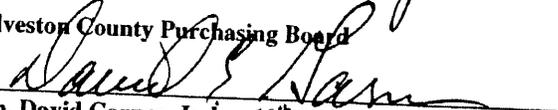
County of Galveston Purchasing Agent Policies & Procedures Manual

This Policies and Procedures Manual is adopted by the Galveston County Purchasing Agent pursuant to the provisions of Texas Local Government Code §262.011 to become effective upon the date of approval by the Galveston County Commissioners' Court.



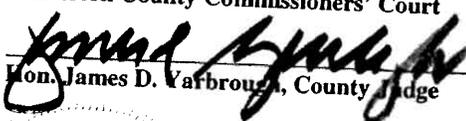
Bruce A. Hughes, CPO, CPPB
Galveston County Purchasing Agent

Approved this 11th day of May, 2010.

Galveston County Purchasing Board


Hon. David Garner, Judge, 10th Judicial District Court

Approved and effective this 19th day of May, 2010

Galveston County Commissioners' Court


Hon. James D. Varbrough, County Judge

Attest:

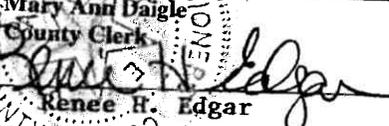

Mary Ann Daigle
County Clerk
By:  Deputy
Renee H. Edgar
COUNTY CLERK
1800

TABLE OF CONTENTS

| | <u>PAGE(s)</u> |
|---|----------------|
| 1.0 General Purpose | 5 |
| 2.0 Establishment and Authority of the Galveston County Purchasing Agent | 6 |
| 2.1 Establishment | 6 |
| 2.2 Checks and Balances | 6 |
| 2.3 Duties | 6 |
| 2.4 Sanctions | 6 |
| 3.0 General Statements | 7 |
| 3.1 Mission | 7 |
| 3.2 Purpose | 7 |
| 3.3 Scope | 7 |
| 3.4 Implementation | 7 |
| 4.0 Procurement Ethics | 8 |
| 4.1 General Principles | 8 |
| 4.2 Code of Ethics – Policy | 8 |
| 4.3 General Ethical Standards | 8 |
| 4.4 Gratuities Forbidden | 9 |
| 4.5 Confidential Information | 9 |
| 5.0 Vendor Qualification and Insurance Requirements | 10 |
| 5.1 Vendor Preliminary Qualifications | 10 |
| 5.2 Insurance Requirements | 10 |
| 6.0 Purchasing Staff Guidelines | 11 |
| 6.1 Judgment | 11 |
| 6.2 Purchasing Authority | 11 |
| 6.3 Obligation of Funds | 11 |
| 6.4 Request for Acquisition | 11 |

TABLE OF CONTENTS (cont.)

| | <u>PAGE(s)</u> |
|--|----------------|
| 6.5 Procurement (P) Cards | 12 |
| 6.6 Procurement Categories Dependent on Anticipated Price | 12 |
| 6.7 Waiver of Procurement Category Requirements | 12 |
| 7.0 Competitive Bidding Requirements | 13 |
| 7.1 Reason for Competitive Bidding | 13 |
| 7.2 Statutory Requirements for Competitive Bidding | 13-14 |
| 7.3 Multistep Competitive Proposal Procedures | 14-15 |
| 8.0 General Guidelines Relating to Competitive Bidding | 16 |
| 8.1 Determination of Lowest and Best Bid | 16 |
| 8.2 Unit Price of Bids | 16 |
| 8.3 Tax Exempt | 16 |
| 8.4 FOB Galveston | 16 |
| 8.5 Sole Bids/Identical Bids | 16 |
| 8.6 Exceptions to Competitive Bidding/Sole Source Items | 16 |
| 8.7 Change Orders | 17 |
| 9.0 Professional Services Procurement Act | 18 |
| 9.1 Not Competitively Bid | 18 |
| 10.0 Acquisition, Transfer, and Disposal of County Owned Fixed Assets | 19 |
| 10.1 Types of Personal Property Assets | 19 |
| 10.2 Acquisitions of New Assets | 19-20 |
| 11.0 Control Relating to County Owned Assets | 21 |
| 11.1 General Principles | 21-22 |
| 11.2 Semi-Annual Inventory | 21 |
| 11.3 Asset Control of Each Department | 22 |
| 11.4 Documentation Procedures for Movement of Fixed Assets | 22-23 |

TABLE OF CONTENTS (cont.)

| | <u>PAGE(s)</u> |
|--|----------------|
| 12.0 Travel Policy | 24 |
| 12.1 County's Travel Policy | 24 |
| 12.2 Travel Requests | 24 |
| 13.0 Procurement Card Program | 25 |
| 13.1 General Purpose | 25 |
| 13.2 Definitions | 25-26 |
| 13.3 Eligibility to Participate | 26 |
| 13.4 Responsibility & Authority | 26-27 |
| 13.5 Conditions of Use | 27-28 |
| 13.6 Duties of Parties Involved | 28-30 |
| 13.7 Procedures Overview | 30 |
| 13.8 Rules & Regulations | 31-34 |
| APPENDIX – Forms and Attachments | 35 |
| Form PEID Person-Entity Identification Data | |
| Form W-9 Request for Taxpayer Identification Number and Certification | |
| Form PC-ESF P-Card Employee Security Form | |
| Form PC-ASF P-Card Access Security Form | |
| Form PC-PCRF P-Card Request Form | |
| Form PC-TRD P-Card Travel Related Dispute Form | |
| Form PC-CA P-Card Card Holder Agreement | |
| Form FA-02 Asset Transfer Report | |
| Form FA-03 Asset Disposal Report | |
| Form FA-04 Verification of Asset Custody by Department | |
| Attachment 1 P-Card Contact Information | |
| Card Provider Telephone Number to be used in the event of a loss of stolen P-Card: 1-800-890-0669 | |

Chapter One: Introduction

1.0 General Purpose:

The purpose of this Manual is to:

- help ensure compliance with the provisions of what is commonly known as the County Purchasing Act and other state statutes governing the acquisition of supplies, materials, equipment and services by employees of county governments; and
- establish, pursuant to Texas Local Government Code §262.011(o), additional rules and regulations under which the purchase of such supplies, materials, equipment and contractual services occur.

All employees whose duties include processing requisitions for the purchase of items, goods and services through the County Purchasing Department are required to comply with the policies and procedures set forth in this Manual. Accordingly, they must familiarize themselves with the provisions contained herein.

The provisions contained within this Manual are not intended to be all inclusive. Rather, it is intended to set forth policies and procedures relating to the most frequently discussed topics. Numerous statutes exist that mandate additional requirements and procedures. Should the terms of any state or federal law conflict with any provision contained within this Manual, the provisions of the state or federal law will supersede the provisions of this Manual but only to the extent of the conflict.

Employees who have questions relating to either the provisions of this Manual or purchasing policies and procedures in general are encouraged to direct their questions to the Buyer who has been assigned to their department.

Chapter Two: Establishment and Authority of the Galveston County Purchasing Agent

2.1 Establishment:

On May 1, 1960, pursuant to the authority of V.T.C.S. 1980, the Constitutional County Judge and the Presiding Judges of Galveston County established the Office of the County Purchasing Agent, commonly known as the Purchasing Department. Currently, the Purchasing Agent and his department is governed by the provisions of Texas Local Government Code, Chapter 262, subchapter B. The County Purchasing Agent is answerable to the County Purchasing Board which consists of three judges of the District Courts of Galveston County and two members of the Galveston County Commissioners' Court.

2.2 Checks and Balances:

The Purchasing Department is designed to be one leg of the three legged stool of county government. The other two are the Commissioners' Court which is the governing of the County that determines County policy largely through control of its budget and the County Auditor who is appointed by the District Judges and has the obligation to ensure the strict enforcement of state law and the duty to disapprove expenditures of county funds he believes to be unlawful.

2.3 Duties:

It is the duty of the Galveston County Purchasing Agent to make all purchases of supplies, materials, and equipment except those for which competitive bidding is required. It is further his duty to adopt rules and procedures necessary to implement his duties under state law. On those items that require a competitive bid, be it by hard bid, request for proposal or a similar method, he is both charged with complying with the terms of the County Purchasing Act and with developing procedures that enable the County to also comply.

The Purchasing Agent is also required to contract for repairs to all Galveston County owned property. He is charged with maintaining an inventory of Galveston County property that is to be filed annually with the Galveston County Auditor. Currently, this is done in July. All surplus property must be transferred to the Purchasing Agent when not actually needed by any Galveston County Department.

2.4 Sanctions:

It is unlawful for any Galveston County employee to make purchases other than through the Galveston County Purchasing Department with proper authorization in the form of a Galveston County Purchase Order or by the use of county purchasing/procurement P-Card. A violation of this provision, as provided by Texas Local Government Code §262.011(m) is a misdemeanor punishable by a fine of not less than \$10 or more than \$100, by confinement in the county jail for not less than 30 days or more than one year, or by both the fine and confinement. Each act in violation of this statute is a separate offense. Any attempted purchase made without proper authorization from the Purchasing Agent's Department will not be honored by Galveston County and payment thereof may become the personal responsibility of the individual employee making the commitment. In addition, the employee may be subjected to disciplinary proceedings and, should the Criminal District Attorney warrant such action necessary, criminal proceedings filed against them.

Chapter Three: General Statements

3.1 Mission:

The mission of the Purchasing Department is to obtain quality items, goods, supplies, materials, equipment and services at the lowest and best price while operating in accordance with state law and the highest standards of ethical conduct.

3.2 Purpose:

The purpose of this Manual is to establish effective purchasing policies and procedures for the purchase and management of items, goods, supplies, equipment, and services consistent with best value principles and industry practices while adhering to applicable laws and regulations.

3.3 Scope:

The scope of these policies and procedures apply to all purchase orders issued by the Purchasing Agent and his authorized personnel.

3.4 Implementation:

The Purchasing Agent is responsible for the implementation of the policies and procedures set forth in this Manual. He may also establish any additional procedures and/or rules he deems necessary to ensure compliance with the Department's Mission Statement.

Chapter Four: Procurement Ethics

4.1 General Principles:

The Galveston County Purchasing Agent is committed to the highest ethical standards. In addition he believes that every one of his employees should be committed to the highest standard of conduct in the performance of their personal duties. As servants and stewards to the public, each employee of the Purchasing Department is expected to readily acknowledge that nothing less should be expected of them.

Public employment is a public trust. Individual and collective adherence to high ethical standards is central to the maintenance of public trust and confidence in government. It is a serious breach of the public trust for any public employee to subvert the public purchasing process by attempting to direct purchases to certain favored vendors. It is also a serious breach of the public trust for any such employee to alter, tamper with or design the competitive bidding process in any manner or for any reason that would hamper or defeat the requirement that all bidders be placed upon the same plane of equality.

As stated in the Galveston County Human Resources Manual, any Galveston County employee, whether he/she is an employee of the Purchasing Department or not, found in violation of Galveston County's ethics policy may be subjected to disciplinary proceeding up to and including termination. In addition, depending on the nature of the violation, an employee may be subjected to criminal prosecution. Please refer to the Human Resources Manual for a more detailed discussion of the County's general ethical principles.

The Purchasing Department also requires ethical conduct from those who desire to become vendors or otherwise do business with Galveston County. Businesses who seek to become a vendor of Galveston County must complete the process as prescribed in Section 5.0, Vendor Qualification.

It is the intention of the Purchasing Agent to post his policies relating to ethics in all bids and proposals issued to the public:

4.2 Code of Ethics –Policy:

Public employees must discharge their duties impartially so as to assure fair competitive access to governmental procurement by responsible contractors. Moreover, they should conduct themselves in such a manner as to foster public confidence in the integrity of the Galveston County procurement organization.

To achieve the purpose of this Article, it is essential that those doing business with Galveston County also observe the ethical standards prescribed here.

4.3 General Ethical Standards:

It is a breach of ethics for any Purchasing Department employee

- to attempt to realize personal gain through public employment with Galveston County by any conduct inconsistent with the proper discharge of their duties;
- to attempt to influence any other employee of Galveston County to breach the standards of ethical conduct set forth in this code
- to participate directly or indirectly in the procurement process when the employee knows that the employee or any member of the employee's immediate family (spouse, parent, step-parent, child, step-children, brother, sister, grandparents, father-in-law, mother-in-law) has:
 - a. a financial interest pertaining to the procurement;
 - b. a business or organization in which the employee, or any member of the employee's immediate family, has a financial interest in the item, good or service being procured;or
 - c. has an arrangement concerning prospective employment is involved as a result of the procurement.

4.4 Gratuities Forbidden:

It is a breach of ethics to offer, give or agree to give any Purchasing Department employee a gift, gratuity, kickback, offer of employment or any other form of reward in connection with any decision, approval, disapproval or recommendation relating to the procurement of any item, good or service. This also includes but is not limited to attempting to influence the content of any specification or procurement standard.

4.5 Confidential Information:

It shall be a breach of ethics for any employee or former employee of Galveston County to knowingly use confidential information for actual or anticipated personal gain, or for the actual or anticipated gain of any third person.

Chapter Five: Vendor Qualifications and Insurance Requirements

5.1 Vendor Preliminary Qualifications:

Parties seeking to obtain qualified vendor status with the County of Galveston must complete and return the following forms to the Purchasing Department:

Form PEID: Person /Entity Information Data

Form W-9: Request for Taxpayer Identification Number and Certification

These forms and instructions relating to properly filling them out can be obtained upon request from Purchasing Department staff or online by visiting http://www.co.galveston.tx.us/Purchasing_Agent/.

5.2 Insurance Requirements:

Qualified Vendors performing work or providing services at or on any County owned facility and/or property are required to maintain the following insurance:

- a policy of third party liability and property damage insurance issued by a casualty company authorized to do business in the State of Texas, and in standard form approved by the Board of Insurance Commissioners' of the State of Texas, with coverage provision insuring the public from any loss or damage that may arise to any person or property by reason of services rendered by the vendor and providing that the amount by reason of services limits shall be not less than the following sums:
 - a. for damages arising out of bodily injury to or death of one person in any one accident: \$100,000.00 Dollars;
 - b. for damages arising out of bodily injury to or death of two or more persons in any one accident: \$300,000.00 Dollars; and,
 - c. for any injury to or destruction of property in any one accident: \$100,000.00 Dollars.
- Workers' Compensation Insurance Policy if there is more than one employee, for all employees, including but not limited to full time, part time, and emergency employees employed by the Vendor. Alternatively, Vendors may establish a self insurance program and, utilizing the services of a third party administrator, self insure against Workers Compensation claims as is permitted by the Texas Workers Compensation Commission. But, Vendors may not elect to "go bare" for Workers Compensation purposes.

All policies and/or Certificates of Insurance, with the exception of Workers Compensation, shall include the County of Galveston as an additional named insured.

Current insurance Certificates certifying that such policies as specified above are in full force and effect must be furnished by Vendors to the Purchasing Department prior to the Vendor being permitted to perform work or to provide services. In the case of Workers Compensation, a letter certifying that the Vendor is self insured will suffice.

On occasion, other forms of insurance and additional requirements may be required of Vendors as a condition of performing work or providing services. Such additional requirements will be found in the County's advertisement for bids or Request for Proposals. All vendors are required to familiarize themselves with any additional insurance requirements that may be contained in any such bid or proposal package.

Chapter Six: Purchasing Staff Guidelines

6.1 Judgment:

Purchasing Department staff members authorized to make purchases on behalf of Galveston County are expected to determine, using their best judgment, the most appropriate and effective method of acquisition on each requisition or request for purchase. In so doing, they may authorize purchases from:

- Galveston County contracts currently in effect;
- contracts managed by the Texas Procurement and Support Services (TPASS) division of the Texas Comptroller of Public Accounts;
- contracts managed by the Department of Information Resources (DIR);
- catalogue purchases and/or
- other authorized sources.

In exercising their judgment, the goal and objective of such staff members is to acquire the product or service that, in their opinion, meets the needs of the user department while ensuring that the method selected for acquisition achieves best value, conformance to standards of ethical conduct, and compliance with all applicable laws, rules, and regulations.

On occasion, the judgment of the Purchasing Department staff member will not coincide with the judgment of the person making the requisition request. While every effort will be made to accommodate differences, the ultimate decision must lie with the Purchasing Agent.

6.2 Purchasing Authority:

The primary authority to obligate Galveston County funds for the purchase of supplies, materials, equipment and services (including repairs and maintenance agreements) by means other than competitive bidding as set forth in the County Purchasing Act has been granted to the Purchasing Agent. The primary purchasing document used by the Purchasing Agent to secure such supplies and/or equipment is the Galveston County Purchase Order (PO).

6.3 Obligation of Funds:

A Galveston Purchase Order represents a binding written agreement between the County and a seller that normally obligates Galveston County to pay for specified goods or services when they are delivered in accordance with the PO'S order terms and conditions. The Purchasing Department issues all purchase orders. All other commitments, written or verbal, are unauthorized purchases and, in most instances, will not be binding on Galveston County. Upon discovery of an unauthorized purchase, the Purchasing Agent will notify both the Commissioners' Court and the County Auditor for further action deemed necessary. In addition, should the Purchasing Agent feel that criminal activity of some sort has occurred, he will forward the information he has received to the Criminal District Attorney for such criminal action, if any, the Criminal District Attorney feels is warranted.

6.4 Request for Acquisition:

Requests for acquisition made to Purchasing Staff must utilize the following procedures:

- a submittal of requisitions by the end user department is first made;
- price quotations (whenever required for justification) must be submitted on forms provided by the Purchasing Department. These forms and their instructions can be obtained from Purchasing Department staff or online by visiting http://www.co.galveston.tx.us/Purchasing_Agent/;

Upon obtaining any additional required information a purchase order will be issued from a Purchasing Department buyer.

6.5 Procurement (P) Cards:

Upon request, a department employee may be issued a procurement (P) card that will entitle him/her to make purchases. Departments interested in utilizing a P card are instructed to make a request for the issuance of such a card to the P-Card Procurement Administrator. In addition, they must familiarize themselves with the terms and provisions of the Procurement Card Program set forth below in this Manual.

6.6 Procurement Categories Dependent on Anticipated Price:

The Galveston County Purchasing Agent has established various purchasing categories for the purchase of all goods and services based on the anticipated price of such good or service. Each category prescribes what information must be obtained from vendors prior to the issuance by Purchasing Staff of a purchase order or via an alternate method of purchase, e.g. P Card. The purchasing categories are:

- Purchases less than \$1,500: Purchasing Staff may exercise discretionary action during the purchasing and acquisition of such purchases.
- Purchases \$1,500 or more but less than \$5,000: A minimum of three telephone quotations are required. Upon approval of a Purchasing Staff member, the requesting department may solicit the quotations or leave the responsibility with the Purchasing Department. But, the requesting department remains responsible for initiating the requisition.
- Purchases \$5,000 or more but less than \$50,000: A minimum of three written quotations are required to be obtained on quotation forms furnished by the Purchasing Department. These forms can be obtained upon request from Purchasing Department staff or online by visiting http://www.co.galveston.tx.us/Purchasing_Agent/. Upon approval of a Purchasing Staff member, the requesting department may solicit the quotations or leave the responsibility with the Purchasing Department. If authorized to obtain the quotations, the requesting department must submit the written quotations to the Purchasing Department for review and approval prior to the issuance of a purchase order or an alternate method of payment, e.g. through the use of a P-Card. The requesting department remains responsible for initiating the requisition and requesting the method by which the purchase is to be made
- Purchases greater than \$50,000: Sealed competitive written bids or requests for proposals (RFP) must be secured by the Purchasing Department in accordance with the terms and provisions of what is commonly called the County Purchasing Act. The Act may be found at Texas Local Government Code §262.023. Generally, competitive bids or requests for proposals are required although some exceptions exist. Should the Purchasing Agent determine that an exception to competitive bidding or an RFP is warranted, he will make application for the granting of an exception to the Galveston County Commissioners' Court as authorized by law. The Purchasing Department and the end user department(s) will evaluate the bids received via competitive bidding or the RFP process and the quotes obtained via the exemption process to the competitive bidding statute that has previously been approved by the Commissioners' Court. The Purchasing Agent will present the bids to the Commissioners' Court for approval. Authority to accept or reject the recommendation lies exclusively with the Commissioners' Court.

No Purchasing Staff employee may issue a Purchase Order to a supplier either verbally or in writing that varies from the requirements of the purchasing categories listed above unless he/she has obtained a waiver from his/her supervisor as set forth in the next paragraph.

6.7 Waiver of Procurement Category Requirements:

The Purchasing Agent, at his/her discretion may, depending on the circumstances surrounding a request, authorize a waiver of all of the procurement category requirements. The Assistant Purchasing Agent may, similarly authorize a waiver of one or more of the procurement category requirements up to \$50,000. A Senior Buyer may similarly authorize a waiver up to \$5,000. But, it is anticipated that such authorization will be granted on limited occasions due to special circumstances such as an emergency or unforeseeable circumstances.

Chapter Seven: Competitive Bidding Requirements

7.1 Reason for Competitive Bidding:

Competitive bidding exists for good reason. It requires preparation of specifications against which bidders may bid, due advertisement of the intention of a county to receive bids and giving everyone an opportunity to bid. It contemplates bidding on the same undertaking upon each of the same material items covered by the contract; upon the same thing. It requires that all bidders be placed upon the same plane of equality, that each bidder bid upon the same terms and conditions involved in all the items and parts of the contract, and that the proposal specify as to all bids the same or substantially similar specifications. Its purpose is to stimulate competition, prevent favoritism and secure the best work and materials at the lowest practicable price, for the best interests and benefit of the taxpayers and property owners. There can be no competitive bidding in a legal sense where the terms of the letting of the contract prevent or restrict competition, favor a contractor or material man, or increase the cost of the work of the materials or other items going into the project.

7.2 Statutory Requirements for Competitive Bidding:

As a governmental unit of the State of Texas, counties are generally required, under the County Purchasing Act, to receive bids by the competitive bidding process on a contract for services, equipment, goods, or other tangible or intangible property including insurance and high technology that are reasonably expected to exceed \$50,000 annually. But, it is also within the discretion and authority of the Commissioners' Court to seek competitive bids even though under the circumstances the statutes do not require competitive bidding.

The Purchasing Department will assist any other Department with the preparation of specifications against which bidders may bid. But the final approval of the specifications will be subject to Commissioners' Court approval. It is the intent of the Purchasing Department that the specifications:

- use intelligent and concise statements that serve the purpose of apprising potential bidders of exactly what Galveston County wants but not be so specific as to unnecessarily limit competition;
- be definitive enough to place all bidders on an equal footing;
- not contain any limiting provisions unless such limitations are for a legitimate purpose; and
- not unreasonably narrow the field of potential bidders.

This does not preclude the Purchasing Department from adopting conditional or alternative specifications so long as all bids received may be compared to one another.

Specifications that are ambiguous and leave to speculation or conjecture as to what is to be bid is not competitive bidding.

It is incumbent upon prospective bidders to thoroughly review all requests for competitive bidding in order to thoroughly familiarize themselves with the specifications and requirements of the request.

The Purchasing Department will advertise the request for competitive bids in accordance with the terms of the County Purchasing Act. The advertisement will be placed in a newspaper of general circulation in Galveston County. In addition, depending on the request being made, additional sources of advertisement, as determined necessary or prudent by the Commissioners' Court will be utilized. For example, large or highly desirable tracts of real estate may be advertised in the Wall Street Journal, the Houston Chronicle or other nation wide advertisements.

Bids may be submitted by postal mail or hand delivered to the reception desk of the Purchasing Department. Bids will not be accepted by fax or electronic mail unless superseded by instruction(s) within the Request for Bid or Request for Proposal document. Bids must be received and time stamped by procurement staff in the Purchasing Department prior to the specified date and time on the bid notice. Late bids will not be accepted. They will be returned unopened. Only the time designated by the "time stamp" issued by the Purchasing Department will determine whether the bid was received at the proper time.

Competitive bids will be opened in the offices of the Purchasing Department in the presence of a representative from the County Auditor's office and, if available, a representative from the department that will be the primary end user of the goods or services being bid upon. Vendors are also encouraged to attend. All bids are read aloud and lump sum and/or unit pricing for each bid is recorded on bid tabulation forms. In the case of conflicting written words and figures, the amount stated in written word governs.

Submitted original bids remain the property of Galveston County after official bid openings. Opened bids will be kept on file in the Purchasing Department and available for inspection for anyone desiring to see them. Upon review and evaluation with representatives of the requesting department and such other County employees deemed advisable by the Purchasing Agent, the Purchasing Agent will present the bids to the Commissioners' Court. The Commissioners' Court will make the final determination in a publicly scheduled meeting as to which bidder will be awarded the contract or whether all bids should be rejected. Agendas for these meetings are posted weekly at the Galveston County Courthouse, 722 Moody Avenue (21st Street), Galveston, Texas, 77550 or may be found on the County's website which is www.galvestoncounty.tx.us. The Purchasing Agent, at his discretion, will attempt to notify all bidders in advance of the time, date and location of the Commissioners' Court meeting. All bidders are encouraged to attend.

The Purchasing Agent will not present a bid to the Commissioners' Court that is substantially or materially different from the specifications, nor may Galveston County negotiate privately with the low bidder. This does not preclude waiving immaterial specifications that are not essential to the contract.

Opened bids will be kept on file in the Purchasing Department and available for inspection for anyone desiring to see them.

7.3 Multistep Competitive Proposal Procedures:

From time to time, if the Purchasing Agent determines that the preparation of detailed specifications would be impractical or involves the purchase of health insurance or high technology items, the Purchasing Agent shall notify the Commissioners' Court of such determination. Upon a finding by the Commissioners' Court that it is impracticable to prepare detailed specifications for an item to support the award of a purchase contract, after notification of such determination by the Purchasing Agent, the Purchasing Agent may use the multistep competitive proposal procedure provided by Texas Local Government Code §262.0295. Should this method of bidding be utilized, there will be a public notice of a Request for Proposal, commonly called an "RFP" that solicits quotations from vendors. The Purchasing Department will assist any other department with the preparation of the RFP, but the final draft is subject to approval by the Commissioners' Court. In addition, the Purchasing Agent will recommend to the Commissioners' Court whether to appoint an evaluation committee that may include one member of the Commissioners' Court, and, if so, which other County employees should be made part of the evaluation. Proposals without a dollar bid may be turned in. Afterwards, bids with prices may be requested by Galveston County.

The Purchasing Department will advertise as required in a newspaper of general circulation in Galveston County. It is incumbent upon prospective bidders to thoroughly review all RFP'S in order to thoroughly familiarize themselves with the specifications and requirements of the request.

Proposals may be submitted by postal mail or hand delivered to the reception desk of the Purchasing Department. Proposals will not be accepted by fax or electronic mail unless superseded by instruction(s) within the RFP proposal document. Proposals must be received and time stamped by procurement staff in the Purchasing Department prior to the specified date and time on the bid notice. Late proposals will not be accepted and will be returned. Only the time designated by the "time stamp" issued by the Purchasing Department will determine whether the bid was received at the proper time. Proposals will be opened in a public forum on the date and time specified in the presence of a representative of the County Auditor's Office and, if available, a representative of the requesting department. Requests for Proposals and other Competitive Sealed Proposals are opened at the specified times and only the names of the proposers are read aloud and recorded. Submitted original bids/proposals shall remain the property of Galveston County after official bid openings.

The Purchasing Agent and the evaluation committee will, after a preliminary evaluation of the proposals, notify the Commissioners' Court of those proposals that, as of the date of the notification, appear to be of the best value and most advantageous to Galveston County. In the case of conflicting written words and figures, the amount stated in written word governs. In addition, the Purchasing Agent will request Commissioners' Court authorization to negotiate with those who submit the leading proposals. Upon finalization of negotiations, the Purchasing Agent shall present the proposals to the Commissioners' Court for consideration of awarding the contract to the proposal determined to have the lowest evaluated offer resulting from negotiation, or specify that additional negotiations take place, or reject all proposals. The Commissioners' Court will make their decision at a publicly scheduled meeting. Agendas for these meetings are posted weekly at the Galveston County Courthouse, 722 Moody Avenue (21st Street), Galveston, Texas, 77550 or may be found on the County's website which is www.galvestoncounty.tx.us. The Purchasing Agent, at his discretion, will attempt to notify all bidders in advance of the time, date and location of the Commissioners' Court meeting. All bidders are encouraged to attend.

All proposals that have been submitted shall, subject to the both the prohibitions contained within the County Purchasing Act (e.g. trade secrets and confidential information contained in the proposals and identified as such) and the terms and provisions of what is commonly called the Texas Open Records Act, be available and open for public inspection but only after the final contract is awarded.

Chapter Eight: General Guidelines Relating to Competitive Bidding

8.1 Determination of Lowest and Best Bid:

In arriving at a determination of notification of the bids to be presented to the Commissioners' Court, the Purchasing Agent and the evaluation team, if one has been appointed, may consider:

- Price;
- the quality of the product;
- the adaptability of the product to the intended use;
- the ability, experience, integrity, and financial responsibility of the bidder/proposer; and
- such other evaluation criteria that are set forth in the request for bid or the RFP.

8.2 Unit Price Bids:

Contracts for materials, equipment, supplies and construction of public works may be let on a unit price basis. If it is determined that unit price bids will be utilized the specifications will state the approximate quantities estimated on the best available information the Purchasing Department has at the time of the determination.

8.3 Tax Exempt:

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

8.4 FOB Galveston:

All prices associated with all bids and proposals must be FOB (i.e. the price submitted includes all freight and shipping charges) to the shipping destination in Galveston County.

8.5 Sole Bids/Identical Bids

On occasion, when a request for bids or a RFP is issued, the County receives only one response. Should this occur, the Purchasing Agent will attempt to determine the reason(s) behind the lack of interest from the public and whether there might be greater interest generated were the competitive bidding process begin anew. Based on his findings, the Purchasing Agent will notify the Commissioners' Court of the single bid and the Commissioners' Court will decide whether to accept the bid/proposal or reject it and order the process to begin again.

If two responsible bidders submit the lowest and best bid with equal terms and conditions, the Commissioners' Court shall decide between the two by drawing lots in a manner prescribed by the County Judge.

8.6 Exceptions to Competitive Bidding/Sole Source Items:

The County Purchasing Act gives the Commissioners' Court the discretion to grant an exception to 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. In addition, competitive bidding is not required in the event there is only supplier who furnishes the item. The Purchasing Agent will, upon request of a requesting department accompanied with written documentation, make a preliminary determination whether an exception or a sole source vendor exists. If, in the opinion of the Purchasing Agent the request is legitimate, the Purchasing Agent will notify the Commissioners' Court and the Commissioners' Court will decide whether to grant the exemption and to purchase the item from the sole source. The final decision as to whether or not to grant the exemption or to purchase from a sole source lies with the Commissioners' Court.

8.7 Change Orders:

If it becomes necessary to make changes in plans, specifications, or proposals after a contract has been made or if becomes necessary to increase or decrease the quantity of items purchased, the Commissioners' Court may make the changes as long as any increase in the total contract price can be made from available funds. Such changes will be made via a change order. All requests for a change order must be submitted by the requesting department or the vendor to the Purchasing Agent for review and recommendation to the Commissioners' Court. However, the original contract price may not be increased by more than 25% unless the change order is necessary to comply with a federal or state statute, rule, regulation or judicial decision enacted, adopted, or rendered after the contract was made. Also, the original contact price may not be decreased by 18% or more without the consent of the contractor.

Chapter Nine: Professional Services Procurement Act

9.1 Not Competitively Bid:

In addition to the Commissioners' Court's discretion to grant an exemption to the requirement of competitive bidding due to the professional services exception under the County Purchasing Act, the Professional Services Procurement Act prohibits a county from employing professional services such as licensed physicians, architects, certified public accountants and registered engineers. Rather, a county must award such a contract on demonstrated competence and qualifications at the customary fee. Any contract awarded a professional who is listed as such under the Professional Services Procurement Act on competitive bids are void against public policy. Accordingly, it is the policy of the Purchasing Agent that contracts that are entered into that require professional services are negotiated by the end user, County Legal, and, if requested, the Purchasing Agent.

Chapter Ten: Acquisition, Transfer, and Disposal of County Owned Fixed Assets

10.1 Types of Personal Property Assets:

Fixed Asset - tangible property (something one can touch or see) which is expected to be useful to the County for a time greater than one (1) year and has a cost of at least \$5,000.00. Examples of fixed assets include machinery, automotive vehicles, equipment, buildings, high technology items and improvements to buildings.

Fixed Asset Maintenance Improvement (FAMI) - Normal maintenance and repair is not considered a fixed asset. But, if the maintenance or repair is substantial and drastically extends the life of the asset, it should be capitalized as a FAMI.

Lost or stolen Assets - those fixed assets that are missing and considered unrecoverable.

Salvage Property - personal property that, because of use, time, or accident, is so worn, damaged, or consumed, it has no value for the purpose for which it was originally intended, but does otherwise have value.

Surplus Property - personal property, other than salvage, not currently useful, but considered to have future usefulness, either as originally intended or otherwise.

10.2 Acquisitions of New Assets:

a) Purchases:

The requesting department must submit an electronic purchase requisition to the Purchasing Department for processing. The requisition request must include quantity, unit cost, unit measure, product description, specifications, requested delivery date, and delivery instructions. Once the requisition is properly routed, completed and approved a purchase order will be issued for this asset. At the time the purchase order is issued, the PO module "flags" the item as a Fixed Asset purchase so that the asset receiving procedures will be triggered. The department must then notify the Fixed Asset Property Manager (FAPM) upon receipt of a fixed asset and forward all associated documentation to the FAPM for processing. Prior to placing the asset in service, the FAPM must properly tag and document receipt of the asset.

b) Donations:

The person/entity donating the asset must provide documentation of ownership and submit a written statement of donation to the Fixed Asset Property Manager. All donations must be approved by the Commissioners' Court before being placed in the County's inventory.

c) Seizures:

On occasion, the Sheriff or a Constable department acquires automobiles, boats or other items that ultimately become Fixed Assets through what is commonly called the U.S. Department of Justice Federally Forfeited Property Program. All such assets must, upon acceptance by the Commissioners' Court be inserted into the FA module by the Fixed Asset Property Manager as a county owned fixed asset.

d) Transfer of Assets:

The Purchasing Agent is authorized by the Commissioners' Court to transfer supplies, materials, and equipment among the various County departments. Since, the Facilities Department is responsible for physically transferring all Fixed Assets with the exception of computer equipment which will be moved by Information Technology Department personnel, a representative of the

Facilities Department shall submit written documentation of transfer of fixed assets to the FAPM in order to update the FA module.

e) **Disposal of Assets:**

Salvage Property or Surplus Property must be reported on **Form FA-03, Asset Disposal Report** (see Appendix) and forwarded to the Fixed Asset Property Manager for instructions on the proper disposal method and for documentation purposes. The Facilities Department is responsible for moving all Fixed Assets with the exception of computer equipment, which will be moved by the Information Technology Department. Actual disposal of assets will be accomplished through a disposal method as prescribed by the Purchasing Agent upon approval by the Commissioners' Court. These methods may include but not be limited to local public auctions, internet (online) auctions, donations to civic or charitable organizations, and trade-in. County employees are eligible to purchase Salvage Property or Surplus Property. Contact the Fixed Asset Property Manager for details.

f) **Lost or Stolen Fixed Assets:**

Lost assets must be reported immediately to the Purchasing Agent by the Elected/Appointed Official, or the Department Head. Reports of lost assets must be immediately made on **Form FA-03, Asset Disposal Report** by the Elected or Appointed Official or Department Head and sent to the Fixed Asset Property Manager (who will forward a copy to IT if appropriate) and the County Auditor. Reports of theft of Fixed Assets must be immediately made on **Form FA-03, Asset Disposal Report** by the Elected or Appointed Official or Department Head and sent to the Fixed Asset Property Manager who will update the fixed asset status to AD-awaiting disposal. In addition, the Elected Official or Appointed Official or the Department Head must report the theft to the proper law enforcement agency and submit a copy of the offense report to the Fixed Asset Property Manager. If, after a reasonable period of time, a fixed asset cannot be located, it will be removed from the department's asset custody report by the Fixed Asset Property Manager after the proper documentation is received and filed by Commissioners' Court.

Chapter Eleven: Control Relating to County Owned Assets

11.1 General Principles:

Since all assets belonging to Galveston County are publicly and not privately owned, it is necessary to provide a basic understanding of the policies associated with County owned assets. Essentially, all Elected and Appointed Officials, Department Heads, and employees share in the responsibility of accounting for, using, and properly maintaining all county buildings, equipment, and furnishings.

As previously stated in the opening section of this Policy and Procedures Manual the Purchasing Agent is charged with maintaining an inventory of Galveston County property that is filed annually with the Galveston County Auditor. In addition, all surplus property must be transferred to the Purchasing Agent when not actually needed by any Galveston County department.

In order to assist him in performing his duties and maintaining accurate inventory records the Purchasing Agent has employed a Fixed Asset Property Manager who is responsible for keeping accurate records of all County owned assets including their acquisition, transfer, and disposition. In order to accurately perform his/her job, cooperation of all County employees is necessary.

11.2 Semi-Annual Inventory:

The Fixed Asset Property Manager inventories all County inventory twice a year, generally during the months of January and June. All departments are required to assist him in the documentation of all Fixed Assets. The County has implemented the Fixed Asset module of the Integrated Fund Accounting System (IFAS) to facilitate documenting the acquisition, custodial use, financial reporting, and disposition of all fixed assets.

In addition to the efforts of the Fixed Asset Property Manager, the following departments also have duties as they relate to Fixed Assets. These departments and their duties are as follows:

a) Auditing Department:

Upon the filing of the annual inventory by the Purchasing Agent with the County Auditor and the members of the Purchasing Board, the County Auditor is charged with the duty to carefully examine the inventory and make an accounting for all property purchased or previously inventoried and not appearing in the inventory.

b) Information Technology Department:

The Information Technology Department (IT) is responsible for the accountability of fixed assets or other computer related technology equipment. This helps enable IT to facilitate expedient technology support. The Purchasing Agent has developed documentation procedures for IT by assigning a block of fixed asset id tags to help ensure reporting accuracy for technology equipment valued at a minimum of \$5,000. In addition, such equipment and other items will be tagged by the designated IT representative and entered in the FA module once written documentation of tagging/deployment of fixed asset is submitted to the Fixed Asset Property Manager.

Also, management of the County's inventory of computer related technology items such as notebook PC's, PC workstations, monitors, printers, small routers and switches, etc. that have an initial acquisition value of less than \$5,000.00, regardless of funding source, is facilitated by IT with the following guidelines:

1. A list of IT's Non-Fixed Asset items by department will be submitted to the Purchasing Agent for inclusion in the annual inventory report submitted to the County Auditor and the Purchasing Board in July.

2. Computer related technology items approved for acquisition by IT through the Purchasing Agent's procurement process, will be received at IT regardless of funding source, for tagging, deployment, and tracking purposes.
3. IT will produce an annual custody report for each County department indicating the number of units of equipment by type per location. Each department will review and update the reports as necessary and return them to IT as an audit check. Discrepancies will be addressed by IT and the affected Department before forwarding the custody report to the Fixed Asset Property Manager.

11.3 Asset Control of Each Department:

Each Elected and Appointed Official and Department Head has the primary responsibility for ensuring protective custody, and accounting for all county fixed assets assigned to their department. They also are required to complete **Form FA-04, Verification of Asset Custody Report by Department** as and when requested by the Fixed Asset Property Manager. All reports must be signed by the department's Asset Custodian and returned to the Fixed Asset Property Manager by the date indicated on the cover letter. Any discrepancies should be noted directly onto the report.

Each Elected and Appointed Official and Department Head should designate one employee to serve as the Asset Custodian for their department. The employee so designated is charged with performing all duties relating to asset management of all fixed assets assigned to their department including but not limited to the execution of **Forms FA-03 and FA-04**. The Asset Custodian for the department should note any discrepancies between the actual inventory and the inventory record on the asset custody report. Some examples of discrepancies include description, location, serial numbers, etc.

Also, the authorized signature of the Asset Custodian must be on file in the Purchasing Department for auditing purposes.

Although it is the responsibility of each Elected and Appointed Official and Department Head to semi-annually account for all County owned assets assigned to their department, the Fixed Asset Property Manager and/or the auditor's office may "spot check," or conduct a full inventory of all departments at such times and on such occasions as they deem reasonable or necessary.

11.4 Documentation Procedures for Movement of Fixed Assets:

The following documentation procedures are designed to facilitate both reporting accuracy and technology support for Fixed Assets other than Information Technology Fixed Assets. The procedures are:

- a) The Fixed Asset Property Manager must update the FASITE screen of the Fixed Asset (FA) module within 24 hours of the actual equipment acquisition, transfer or disposition. All information required to update the FASITE screen must be submitted. All supporting paperwork required to update the FASITE screen forms must be filed with the Fixed Asset Property Manager and made accessible to the County Auditor for auditing purposes upon request.
- b) In the case of Lost Assets, a **Form FA-03, Asset Disposal Report** must immediately be completed and copies given to the Fixed Asset Property Manager and the County Auditor. In the case of Stolen Assets a **Form FA-03, Asset Disposal Report** must be immediately completed and copies given to the Fixed Asset Property Manager.
- c) A **Form FA-04, Verification of Asset Custody Report** by Department, is distributed semi-annual to all departments. This form is generated from fixed asset records stored in the Fixed Asset (FA) module of the county's Integrated Fund Accounting System (IFAS). It includes all inventoried fixed assets charged to the protective custody of each department. The department's asset custodian shall examine the form for accuracy, execute it and return it to the Fixed Asset Property Manager by the date specified on the cover letter. Supporting documentation on each fixed asset must be attached to the form. Any discrepancy must be noted on the form and

reconciled by the Fixed Asset Property Manager and each the department from which the discrepancy emanates. Upon reconciliation of the form, the Fixed Asset Property Manager will update the FASITE screen of the Fixed Asset (FA) module. Only the Fixed Asset Property Manager or, in his absence other Purchasing Department employee authorized in writing by the Purchasing Agent to temporarily act in his stead is authorized to update the FASITE screen of the Fixed Asset (FA) module. This is a restatement of 11.4 d and not needed.

- d) The transfer of all other fixed property equipment from one Department to another shall be documented on **Form FA-02, Asset Transfer Report for Fixed Assets Other Than Information Technology Equipment**. This form must be signed by both the transferring Department's Asset Custodian and the Fixed Asset Property Manager.
- e) The disposition of all other fixed property shall be documented on **Form FA-03, Asset Disposal Report**. This form must be signed by both the disposing Department's Asset Custodian and the Fixed Asset Property Manager.
- f) Only the Purchasing Agent has the authority to modify these guidelines.

Chapter Twelve: Travel Policy

12.1 County's Travel Policy:

Galveston County employees authorized to travel, must adhere to the Travel Policy previously established by the Commissioners' Court. This policy may be found in Chapter 44 of the Human Resources Manual which may be found at www.galvestoncounty.tx.us. Failure to adhere to the terms and requirements of the Commissioners' Court Travel Policy will result in payment or reimbursement of travel claims being denied.

12.2 Travel Requests:

Department Heads who desire their employees to travel on county related business must approve the trip prior to a requisition being placed with the Purchasing Department. All travel requests must include a brief justification for the trip including estimated costs of registration fees, lodging, air fare, mileage, parking, taxi or shuttle use and a per diem.

All requests for reimbursements must be electronically requisitioned from a specified travel account containing adequate travel funds. Alternatively, travel expenses may be paid by an approved Galveston County issued Procurement Cards (P-Cards). P-Cards can be obtained upon application from the P-Card Administrator located within the Purchasing Department.

Chapter Thirteen: Procurement Card Program

13.1 General Purpose:

The purpose of this section is to establish policies, procedures and criteria to be used in determining requirements for cardholders of the Galveston County Procurement Card (P-Card) program.

The County has heretofore entered into Contract #946-A1 with the State of Texas Building and Procurement Commission's Purchasing Co-operative Program. This Contract provides for the use of commercial credit cards and associated services from a credit card provider. One of these credit cards is the P-Card.

The P-Card is a procurement tool designed to allow County employees maximum flexibility in obtaining County authorized goods and services. Some benefits include:

- efficiency of online banking;
- increased transparency and security;
- reduction of purchase order numbers and corresponding invoice processing;
- faster methods of paying vendors;
- program rebates for volume purchases;
- easy online queries and transaction summaries;
- environmental savings through less paper used;
- free up Purchasing Department staff time to concentrate on more productive issues; and
- the card can be used 'virtually' to support e-procurement initiatives

13.2 Definitions:

Cardholder- A Department Head employee who is approved by their Department Head to have a Galveston County P-Card, issued in their name, and is authorized to execute legitimate P-Card transactions on behalf of Galveston County.

Card Provider- The contractor who maintains the card account, issue cards to Cardholders, sends monthly billing statements to the County Auditor, pays merchants and receives reimbursement from the County Treasurer. Also, assists in resolving disputes between the County Cardholder and Vendors. Currently, the Card Provider is J.P. Morgan Chase.

County Auditor's Department- The department responsible for processing payments to the Card Provider, maintaining required accounting records, and storing original card receipts that support approved card statements.

County Treasurer's Department- The department responsible for paying P-Card purchases.

Department Head- County official (including Elected and Appointed officials and Department Heads) who approves their department employee's request for a P-Card using P-Card Request Form (Form PC-PCRf), and who performs the duties of a Department Coordinator or a Departmental Supervisor or assigns those duties to a Departmental Coordinator or a Departmental Supervisor to act in their stead, if desired.

Department Coordinator- Department employee designated by the Department Head to enter charge account data and card holder approval via Smart Data On-Line (where applicable), and send these receipts to Auditor's Office.

Department Supervisor- Department Employee who is delegated by the Department Head to review transactions to ensure they are for legitimate and permitted County business expenses, and thereafter certify and approve for payment to the Department Head. **Disputed Charge-**A charge for goods determined to be defective or a charge for services not performed and on which a vendor refuses to replace, repair, adjust charges on, perform or otherwise correct. Disputed Charges also includes fraudulent charges.

Disputed Charge-A charge for goods determined to be defective or a charge for services not performed and on which a vendor refuses to replace, repair, adjust charges on, perform or otherwise correct. Disputed Charges also includes fraudulent charges.

Fraudulent Charge-A disputed charge appearing on the Cardholder's monthly statement of account not authorized by the Cardholder.

Galveston County- The political subdivision of the State of Texas that contracts with the Card Provider to have P-Cards issued to Galveston County approved employees and agrees to accept liability for the use of the cards.

Galveston County Procurement Card (P-Card)-The official credit card issued by Galveston County to be utilized for authorized purchases.

P-Card Administrator-The coordinator and the liaison official between the County and the Card Provider who administers the P-Card Program for the County. The P-Card Administrator is appointed by the Purchasing Agent. Currently it is the Administrative Coordinator.

Personal Use- Use of a P-Card for the purchase of an item, commodity, or service other than those permitted by Galveston County adopted policies.

Smart Data On-Line- Secure internet access to individual card transactions provided by J. P. Morgan Chase or a subsequent bank approved by the Commissioners' Card.

Statement of Account-A monthly statement from the Card Provider of all purchases and credit transactions made by the Cardholder.

Unauthorized Purchase-Purchases that:

- exceed authorized dollar limits;
- are made with Vendors without an approved Merchant Category Code(s) (MCCs); or
- are made for Personal Use or, are otherwise not allowed.

Unauthorized Use-Use of the County P-Card by a person other than the Cardholder.

Vendor-The merchant with whom a Cardholder is making a purchase.

13.3 Eligibility to Participate

In order to participate in the P-Card Program, a Department Head must first agree to abide by all terms and conditions of this Chapter. They must also agree to discipline and, if warranted, terminate and not rehire any Cardholder who intentionally or knowingly uses or permits the use of a P-Card for either an Unauthorized Use or a Personal Use.

13.4 Responsibility & Authority:

The Purchasing Agent and each Department Head is responsible for enforcing these guidelines.

The Purchasing Agent, P-Card Program Administrator, the County Auditor and the County Treasurer are responsible for administering these guidelines.

These P-Card Guidelines are intended to be consistent with federal and state rules and regulations. In the event of an inconsistency between these guidelines and federal or state rules and/or regulations, such rules and/or regulations control but only to the extent of the inconsistency.

13.5 Conditions of Use:

Each authorized cardholder will be required, prior to the issuance of a P-Card to them, to certify, in writing, that they have read and will follow the P-Card Guidelines.

Cardholders, as a condition of being granted a P-Card agree to:

- ensure their use of the P-Card is used for legitimate business purposes only;
- ensure that sales tax is not charged at time of purchase by using the tax exemption number that appears on the P-Card;
- ensure that if capital purchases are made using the P-Card that the appropriate Fixed Asset Form code is used and forwarded to the Fixed Asset Property Manager (FAPM);
- indicate account number(s) for all purchases charged to the P-Card in the Smart Data On-Line system;
- maintain the P-Card in a secure location at all times;
- not allow or permit other individuals to use the P-Card;
- not provide account number or expiration date to other employees except Cardholder's Department Head, the P-Card Administrator, the Purchasing Agent or authorized IT Personnel;
- not provide account number or expiration date to vendors except as necessary to make an authorized purchase;
- adhere to the purchase limits and restrictions of the P-Card;
- ensure the total transaction amount of any single transaction does not exceed authorized limits;
- ensure that split transactions are not utilized to circumvent the daily transaction limit.
- obtain and reconcile all sales slips with register receipts, and/or P-Card slips with Smart Data On-Line;
- submit vendor receipts and approved on-line statement to their Department Head or, if authorized, their Department Coordinator or Department Supervisor in a timely manner;
- on purchases placed by telephone/fax supply a copy of the order blank or a description of order and attach this documentation to the statement;
- attempt to resolve disputes or billing errors directly with the vendor;
- notify the Card Provider if the dispute or billing error is not satisfactorily resolved by faxing the Card Provider the required Cardholder Statement of Dispute Form (Form PC-TRD);
- ensure that an appropriate credit for the reported disputed item or billing error appears on a subsequent Cardholder statement;
- immediately report a lost or stolen card to the Card Provider at the 24 hour, 800 number listed on Attachment No.1, Contact Information and on the Appendix;
- immediately notify their Department Head and the P-Card Administrator of a lost or stolen P-Card by telephone with written follow up as soon as is reasonably possible under the circumstances;
- return the P-Card to the P-Card Administrator upon leaving employment with the County upon revocation of authorized usage;
- if a vendor does not accept credit cards, contact the Department Head and the P-Card Administrator for alternate purchasing instructions;
- report erroneous and emergency transactions to their Department Head and the P-Card Administrator during normal business hours; and
- reconcile vendor receipts to the Smart Data On-Line statement.

Failure to adhere to any of the above conditions of use will result in the automatic revocation of the P-Card, may subject the Cardholder to disciplinary action up to and including termination and, if warranted by the Criminal District Attorney, criminal charges being filed against the Cardholder.

13.6 Duties Of Parties Involved:

Purchasing Agent:

- performs periodic audits of P-card usage and charges through the use of P-Card software to determine the appropriateness through the use of P-Card software;
- reports non-compliance of rules and regulations relating to usage to appropriate Department Head for disciplinary action;
- monitors usage of each Cardholders usage of P-Cards to determine if a renewal is warranted;
- reviews run reports on a monthly basis to monitor order splitting transactions and supplier purchase history; and
- performs other duties as necessary.

P-Card Administrator:

- acts as liaison with Card Provider;
- utilizes P-Card software from Card Provider as applicable;
- reviews Department approved applications for completeness of required information;
- submits completed application to Card Provider and receives P-Card from Card Provider;
- trains Departmental Management before releasing P-Cards;
- trains Cardholder before releasing P-Card;
- has Cardholder sign Cardholder Agreement (**Form PC-CA**), signifying acceptance of the terms of the P-Card program and verifying receipt of card;
- helps resolve disputed charges/discrepancies not resolved by Cardholder or Departmental Coordinator (**Form PC-TRD**);
- secures revoked P-Cards;
- promptly submits written cancellation requests to Card Provider;
- obtains Card Provider confirmation of cancellation;
- ensures that lost or stolen cards have been blocked by Card Provider;
- obtains verbal notice followed up with a written notice and confirmation from the Card Provider that accounts are closed (**Form PC-PCRF**);
- assists Department Heads with erroneous declines and emergency transactions;
- cancels P-Cards as warranted;
- recommends disciplinary action when there has been a violation of a term or condition of this policy by a Cardholder;
- maintains complete records that include requests for new accounts, Cardholder Agreements, records of any lost/stolen cards, records of any replacement cards, documentation of any procedural violations, special P-Card restrictions and transaction limits, card cancellation requests and card provider confirmations for each P-Card issued; and
- performs other duties as necessary.

County Auditor:

- sets-up and maintains authorized GL Fund Cost Centers for P-Cards;
- creates and maintains Excel spread sheet of authorized GL Object Codes for each authorized GL Fund Cost Center;
- forwards Excel spread sheet of authorized GL Object Codes to Information Technology Finance Team for loading into the Smart Data On-Line Software;

- maintains and verifies Object Code dependencies to Fund Cost Centers in the Smart Data On-Line system;
- utilizes Smart Data On-Line system to generate electronic audit reports, statements, and other reports as required;
- reconciles Card Provider's bill to Card Provider's electronic file and to the transaction totals posted to County's accounting system;
- Accounts Payable Division assembles, reviews, and retains for seven years Cardholders' charge slips and receipts for audit by internal and external auditors;
- retains copies of transmittals and correspondence with Card Provider, billing statements, and reconciliation of accounting statements;
- monitors statements for inappropriate purchases and sales or use tax charges and, through the Accounts Payable Division forwards a list of discrepancies to the P-Card Administrator to help track and resolve them;
- performs on a monthly basis a detailed review of P-Card clearing accounts that do not have a zero balance;
- notifies the Department Head of any card holder who has not approved the P-Card charges in Smart Data On-Line within two weeks of the statement monthly cut off date;
- makes periodic audits of card use and charges for appropriateness through use of the Smart Data On-Line system for on-line reporting;
- monitors response time for submitting cardholder statement reconciliations, and receipts;
- prepares payment vouchers within 5 days after receipt of the Card Provider bill and processed so that payment will reach Card Provider no later than 30 calendar days after the close of the billing cycle of the previous month; and
- receives, reviews and approves as a claim for payment the individual charge card receipts supporting cardholder charges sent by the cardholders; and
- performs other duties as necessary

County Treasurer:

- pays Card Provider bill by authorized method (check, wire transfer, etc.) to Card Provider; and
- performs other duties as necessary.

Information Technology - Finance Team:

- maintains interfaces between Smart Data On-Line and the IFAS system;
- monitors and maintains Smart Data On-Line functionality with respect to Galveston County's specific requirements;
- acts as liaison with Card Provider Customer Service and Help Desk;
- provides assistance and support to the P-Card administrator regarding system functionality;
- assists with Training of Departmental Personnel to include Department Heads, Department Supervisors, Department Coordinator and Cardholders prior to release of P-Cards;
- provides training and support to FSP Departmental personnel.
- troubleshoots and resolves system relate issues; and
- performs other duties as necessary.

Department Head, Department Coordinator, or Department Supervisor:

- reviews and approves employee requests for a P-Card;
- submits P-Card Request Form (**Form PC-PCRF**) to the P-Card Administrator;
- delegates transaction authority to the Cardholder;

- notifies the P-Card Administrator of Cardholder request(s) to have Card Provider set up a vendor to accept credit cards;
- collects cardholder original receipts;
- compares vendor receipts to approved Smart Data On-Line statements;
- enters account data and card holder approval via Smart Data On-Line, as designated;
- forwards all Cardholder charge slips and receipts to the Accounts Payable Department in the County Auditor's Department;
- forwards requests for cancellation of P-Card upon cardholders' termination, transfer, or loss of P-Card privileges to the P-Card Administrator;
- collects canceled cards from Cardholders and forwards to P-Card Administrator.
- assists Cardholders with erroneous declines and emergency transactions;
- attempts to resolve any disputes with vendor and/or Card Provider not resolved by Cardholder;
- notifies P-Card Administrator in 3 to 5 days of any unresolved disputes, noting the reason for dispute using Form PC-TRD;
- notifies P-Card Administrator of lost or stolen cards;
- notifies P-Card Administrator of Cardholder request(s) to have Card Provider set up a vendor to accept credit cards;
- assists Cardholders with erroneous declines and emergency transactions; and
- performs other duties as necessary.

13.7 Procedures Overview:

- P-Cards will be issued to County employees only.
- County employee's Department Head must approve their employee's request for a P-card.
- The Cardholder's name will be embossed on the P-Card.
- P-Cards are not transferable between individuals or departments.
- Department Heads in departments with several users must assign both a Department Coordinator and a Department Supervisor to act on their behalf.
- Department Heads, and their Department Coordinators, Department Supervisors and Cardholders must adhere to instructions issued from time to time by the P-Card Administrator.
- Cardholders must make purchases using only established guidelines and must review their monthly Cardholder statement, on line via Smart Data On-Line.
- Cardholders must match receipts to on-line statement and notifies appropriate Department Head, Department Coordinator or Department Supervisor for purposes of review and approval of on-line transactions.
- Department Supervisor, if appointed, reviews cardholder charges and approves the on-line charge and notifies the Department Coordinator, or Department Head for final approval where required.
- Department Coordinators, if designated, review transactions, ensures account codes are allocated appropriately and forwards receipts to Accounts Payable within fourteen (14) business days of the close of the card monthly period.
- Department Heads or Department Coordinators must notify the P-Card Administrator of Cardholder terminations immediately to expedite cancellations.
- Card Provider sends consolidated invoice to the County Auditor at the end of monthly billing cycle, which is the 5th of each month or next business day.
- Payment is made by County Treasurer to Card Provider within 30 calendar days after the end of the billing cycle.

13.8 Rules & Regulations:

- **Obtaining a Procurement Card:**
To obtain a County P-Card, the requestor must complete and sign a County P-Card Request Form, (Form PC-PCRF). This form must be approved by the requestor's Department Head and by the P-Card Administrator.

- **Cardholder Eligibility:**
To be eligible to receive a P-Card criteria:
 - a. an applicant must be an employee of Galveston County and have passed their probationary period;
 - b. the P-Card Request Form (Form PC-PCRF) must identify the types of usage and the transaction limits desired;
 - c. the Department Head, or, if applicable the Department Coordinator or Department Supervisor must approve an applicant's request for a P-Card;
 - d. the applicant may be required to attend a training session before receiving their P-Card; and
 - e. the applicant must sign a P-Card Cardholder Agreement (Form PC-CA) prior to receiving their P-Card.

- **Cardholder's Personal Credit Unaffected:**
The P-Card is a corporate charge card. Use of the P-Card will not affect the Cardholder's personal credit; however, it is the Cardholder's responsibility to ensure that it is used within these policy guidelines. P-Card access will be restricted to meet the authorized purpose approved by the Cardholder's Department Head or, if applicable their Department Coordinator or Department Supervisor.

- **Lost, Misplaced or Stolen P-Cards:**
Cardholders are required to immediately report their lost or stolen P-Card to Card Provider at the 800 number listed on Attachment No. 1, Contact Information (24 hours a day, 365 days a year). The Cardholder must also immediately notify his/her Department Head and the P-Card Administrator in writing about the lost or stolen card.

- **Renewal Process:**
Individual cards are originally issued for two years. They are automatically renewed for an additional two year period. Account numbers will remain the same; but Cardholders must call to activate new cards. Cards are sent directly to the P-Card Administrator.

- **Control of Procurement Card:**
Cardholders must safeguard their County P-Card and account number at all times. Cardholders must always treat the P-Card Card with at least the same level of care as their own personal credit cards. Under no circumstances may a Cardholder allow, suffer or otherwise permit another person other than their Department Head, the P-Card Administrator, the Purchasing Agent and authorized IT personnel access to their card or to the card's account number and/or expiration date. If this regulation is violated the P-Card will be automatically revoked and disciplinary action up to and including termination, and, if determined necessary by the Criminal District Attorney, criminal action will be taken. In addition, the P-Card must be immediately surrendered to the P-Card Administrator.

Department Heads, Department Supervisors, and Department Coordinators who are aware of or who allow unauthorized practices by Cardholders under their supervision are also subject to similar disciplinary actions.

- **System Security and Password Requirements:**

IT System Administrators will review requests and justifications for access to the P-Card software and will ensure that individuals having such access are set up to have review and report capability only.

Individuals, with access to the P-Card software are required to change their passwords every 90 days. System Administrators are required to change passwords every thirty days.

Failure to change passwords will result in access to the software system being denied. If access to a P-Card has expired, contact the P-Card Administrator.

- **Authorized Purchases/Failure to Comply:**

P-Card usage is restricted to those authorized purchases previously approved by the appropriate Department Head. Purchases that exceed the authority approved on the P-Card Request Form (Form PC-PCRF) are not authorized. Cardholders may use their P-Card in lieu of requisitioning purchase orders for authorized purchases. Although not every Cardholder has the same privileges, authorized purchases may include: travel, meals, fuel and the purchase or rental of hardware, tools, equipment, replacement parts, materials, and office supplies. Dollar purchase limits will also be detailed in the approved P-Card application form.

Failure to comply with Department Head authorization or these program guidelines will result in immediate and permanent revocation of the P-card, notification of the unauthorized purchase to the Cardholder's Department Head and disciplinary measures up to and including immediate termination of employment. Unauthorized purchases will also be reported to the Criminal District Attorney.

- **Unauthorized Purchases:**

P-Cards are not to be used for any product or service not authorized by this policy for County use. Unauthorized purchases include, but is not limited to:

- a. items for personal use;
- b. a single transaction that exceeds the approved limit;
- c. multiple transactions per day with the same vendor that in total exceed the approved transaction limit;
- d. the purchase or rental of High Technology equipment customarily purchased by the IT Department;
- e. alcoholic beverages;
- f. chemicals, such as pesticides and herbicides; or
- g. equipment repair or maintenance services on County property.

The Purchasing Agent has the sole authority to permit the purchase of any item through the use of a P-Card at such times as he/she determines is necessary. All authorizations that over-ride an unauthorized purchase will be reduced to writing as soon as is reasonably practicable under the circumstances.

- **Disputes or Fraudulent Charges:**

If goods purchased with the P-Card are found to be defective, or if information for any item charged is incorrect, the Cardholder has the responsibility to return the item for credit or to decline approval of the purchase. In the event the Cardholder returns the item, he/she is to either secure a credit or a replacement item. If a Vendor refuses to credit, replace, repair, adjust charges or correct such defective goods the purchase of the item shall be considered to be in dispute.

If services rendered are unsatisfactory, the Cardholder has the responsibility to decline approval of payment for such services unless and until such services have become satisfactory or otherwise acceptable. If a Vendor refuses to improve their services, the purported tender of the services will be considered in dispute.

Vendors will issue all credits to the individual P-Card account for any item they have agreed to accept for return or for any bill for any service they have subsequently decided to withdraw. This credit will appear on a subsequent statement.

Under no circumstances may a Cardholder accept cash in lieu of a credit to the P-Card account.

Purchases questioned by the P-Card Administrator or the County Auditor will be considered to be in dispute.

Fraudulent charges appearing on a Cardholder's account are also considered to be in dispute.

When charges are determined to be in dispute, the Cardholder shall complete a Cardholder Statement of Dispute Form (**Form PC-TRD**) and mail or fax it, along with any supporting documentation, to the Card Provider to document the reason for the dispute. A copy of the dispute form must be sent to the Department Head, the County Auditor, and the P-Card Administrator, all of whom being authorized to assist the employee if an acceptable resolution is not obtained. The Cardholder shall keep the Department Head, the County Auditor, and the P-Card Administrator informed about the status of a dispute on a monthly basis until such time as the dispute is resolved.

In the event the Cardholder or the Department Head does not agree with the Card Provider's dispute decision, a final decision that is binding on the Cardholder and the County will be rendered by the Purchasing Agent.

- **Reconciliation and Payment:**

From the software provided on a monthly basis by the Card Provider, each Cardholder will access a statement of charges. Similarly, on a monthly basis, the Card Provider will provide the County Auditor with a billing statement of all charges made by Cardholders. Unquestioned purchases will be approved by the County Auditor and paid by the County Treasurer within the required time frame. Questioned purchases will be considered to be in dispute.

- **Cardholder Status Change/Revocation Account:**

The P-Card Administrator will close or revoke an account if:

- a. is requested by a Department Head to close an account for any reason or for no reason;
- b. a Cardholder transfers to a different department, moves to a new job, is fired, or otherwise terminates employment;
- c. the P-Card is used for a personal or unauthorized purchase, including unauthorized purchases described above;
- d. the P-Card is used to purchase alcoholic beverages or any substance, material, or service, which violates County policy or any state or federal law or regulation;
- e. the Cardholder authorizes, allows, permits or otherwise suffers the P-Card to be used by another individual for any reason;
- f. the Cardholder splits a purchase to circumvent the limitations of the P-Card;
- g. the Cardholder uses another Cardholder's card to circumvent the purchase limit assigned to either the Cardholder or to the limitations of the P-Card;
- h. the Cardholder fails on a timely basis to provide required receipts to the individual to whom such receipts are to be provided;
- i. the Cardholder fails to provide, when requested, information about any specific purchase; or
- j. the Cardholder does not adhere to all of the P-Card policies and procedures;
- k. failure to properly safeguard a P-Card; or
- l. any other reason deemed necessary by the Purchasing Agent or the P-Card Administrator.

Upon revocation of a P-Card, the P-Card Administrator will notify both the Department Head and the Cardholder of such revocation. Cardholders whose authorization to use a P-Card has been revoked must immediately surrender their P-Card to the P-Card Administrator.

In addition to closing the account, the Cardholder may be subject to disciplinary action up to and including termination. Also, restitution will be sought for any unauthorized purchase.

APPENDIX

Forms and Attachments:

| | |
|--------------|--|
| Form PEID | Person-Entity Identification Data |
| Form W-9 | Request for Taxpayer Identification Number and Certification |
| Form PC-ESF | P-Card Employee Security Form |
| Form PC-ASF | P-Card Access Security Form |
| Form PC-PCRF | P-Card Request Form |
| Form PC-TRD | P-Card Travel Related Dispute Form |
| Form PC-CA | P-Card Card Holder Agreement |
| Form FA-02 | Asset Transfer Report for Fixed Assets Other Than Information Technology Equipment |
| Form FA-03 | Asset Disposal Report |
| Form FA-04 | Verification of Asset Custody by Department |
| Attachment 1 | P-Card Contact Information |

Card Provider Telephone Number to be used in the event of a lost or stolen P-Card: 1-800-890-0669.



Galveston County

**P-CARD
ACCESS SECURITY FORM**

Department # _____ Department Name: _____

Request Type: (check one) Add/New Delete Change

Available Access

(Check which access is requested)

- Cardholder Write
- Cardholder Read/Inquiry
- Account Coordinator
- Supervisor/Department Head

| FOR FSP USE ONLY | |
|--------------------------|-----------------------------------|
| <input type="checkbox"/> | Purchasing Buyer |
| <input type="checkbox"/> | Accounts Pay able |
| <input type="checkbox"/> | Auditor Extract |
| <input type="checkbox"/> | Auditor Read and Maintain Account |
| <input type="checkbox"/> | FSP Read/Inquiry |
| <input type="checkbox"/> | P-Card Administrator |

List user-names to grant the above access (as per attached **Employee Security Form**)

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Department Head Authorization: _____ Date: _____

If access is requested for accounts out of direct departmental control, attach a letter, signed by the official, detailing the accounts being requested and state the reason for the request.



Galveston County

GALVESTON COUNTY P-CARD REQUEST FORM
Accounting & Card Information Record

TYPE OF REQUEST

Add/New Account Delete Account Change Lost/Stolen Card

ACCOUNT INFORMATION

Name: _____

Default Account Code: _____

Department Number/Name: _____

Work Number: _____

Work Location (facility): _____

Last four (4) digits of your social security number: _____

E-mail address: _____

Monthly Credit Limit: _____

Single Credit Limit: _____

Cash Withdrawal Yes No Cash Limit: _____

Requires approval by Purchasing Agent and Commissioners' Court

AUTHORIZATION

 Employee Name (print) Employee Signature Date

 Department Head Name (print) Department Head Signature Date

 P-Card Administrators Name (print) P-Card Administrator Signature Date

INSTRUCTIONS ON HOW TO COMPLETE FORM

NEW ACCOUNT

1. Indicate "New Account" under type of request
2. Complete Account Information and obtain Authorization signatures
3. Indicate Account Coordinator's Name: _____
4. Return to Purchasing

ACCOUNT CLOSURE

1. Indicate "Account Closure" under type of request
2. Last 4 digits of Account # _____
3. Employee and/or Manager print and sign name under Authorization
4. Return to Purchasing

This form has been provided for your convenience. If you believe that a transaction on your statement is in error you can use this form to contact us. Regulations require that you notify us in writing within 60 days from the statement billing date of the disputed charge. Any response received after this time frame may result in our inability to assist you with your dispute. **Please be advised that Visa & MasterCard require that attempts be made to resolve your dispute with the merchant before notifying us.** Please complete and mail or fax this form to Commercial Card Services, ATTN: Dispute Dept., P.O. Box 2015, Elgin, Illinois, 60121-2015, ccs-disputes@jpmchase.com , or Fax to **(847) 931-8861**.

Name: _____
Account #: _____
Merchant Name: _____
Transaction Date: _____
Posting Date: _____
Reference #: _____
Transaction Amount: \$ _____

Please Circle one of the following choices applicable to your dispute. Include all necessary information/documentation.

1. I do not recognize the above-mentioned charge. I have attempted to contact the merchant to obtain further information.

2. I have been billed more than once by the same merchant. I authorized one charge with this merchant only. My card was in my possession at the time of the transaction.

Valid Charge \$ _____ Reference # _____ Transaction Date: _____

Invalid Charge \$ _____ Reference # _____ Transaction Date: _____

3. I canceled: Service / Airline Ticket / Hotel Reservation on _____(date). Cancellation# _____

4. I have not received the merchandise that was to be shipped to me on _____(date). I have requested credit.

5. Merchandise that was shipped to me arrived damaged or not as described. I returned it on _____(date) and asked the merchant to credit my account. I am providing a copy of my returned mail receipt.

6. Merchant was to issue credit for merchandise I returned to the store. I have enclosed a copy of my credit receipt.

7. I have been charged for a purchase that was paid for by other means. I am providing a copy of the documentation showing the other method of payment.

8. I have been billed for an incorrect amount. My receipt shows \$ _____, however, I was billed \$ _____ I am providing a copy of my receipt showing the correct amount.

9. I did not authorize the above-mentioned charge. I have attempted to contact the merchant to resolve dispute. (If this is a VISA account, Visa regulations require that your account be closed prior to pursuing this dispute reason. Please call Customer Service at 800-316-6056 to assist you in closing your account.)

10. Other: I am attaching detailed information that describes the dispute.

Work Phone () _____ Email: _____

Fax _____

Signature _____ Date _____



Galveston County

**GALVESTON COUNTY P-CARD
CARDHOLDER AGREEMENT**

I, _____, verify that I have received a Galveston County Procurement Card (P-Card). I also verify that I have received a copy of the P-Card program guidelines and procedures.

I understand that I have been designated to make charges against a Galveston County P-Card for which a card has been issued in my name. I further understand that under NO circumstances am I allowed to permit another individual to use my card by physically giving them the P-Card or giving them the number. I agree to use the P-Card in accordance with the guidelines and provisions as outlined in the P-Card Policy and Procedures section of the Purchasing Agent Policy and Procedure Manual and to only make purchases on the P-card for legitimate business purposes and for the sole benefit of Galveston County.

I am aware that violations of the requirements and/or failure to follow the guidelines and procedures as outline in the P-Card Policy and Procedure section of the Purchasing Agent Policy and Procedure Manual may result in revocation of use, privileges, and/or disciplinary action up to and including termination of employment. I am also aware that if it is deemed that I have used the P-Card inappropriately, I will be required to reimburse Galveston County for all costs associated with such improper use.

Cardholder Signature: _____ Date: _____

Witness: _____ Date: _____



ASSET TRANSFER REPORT

DATE: _____

To: Purchasing Department, Attention: Fixed Asset Property Manager

From: _____
Department No. & Name, Department Asset Custodian Authorized Signature

Re: Please amend the inventory to reflect the following change(s) due to TRANSFER

Transfer: _____
FAID No.

From: _____ Location: _____
Department No. & Name Building, Floor, Suite, or Room No.

To: _____ Location: _____
Department No. & Name Building, Floor, Suite, or Room No.

Transfer: _____
FAID No.

From: _____ Location: _____
Department No. & Name Building, Floor, Suite, or Room No.

To: _____ Location: _____
Department No. & Name Building, Floor, Suite, or Room No.

Transfer: _____
FAID No.

From: _____ Location: _____
Department No. & Name Building, Floor, Suite, or Room No.

To: _____ Location: _____
Department No. & Name Building, Floor, Suite, or Room No.

PLEASE RETAIN A COPY OF THIS FORM FOR YOUR RECORDS

PURCHASING DEPARTMENT USE ONLY

Date Form Processed

Fixed Asset Property Manager



ASSET DISPOSAL REPORT

DATE: _____

To: Purchasing Department, Attention: Fixed Asset Property Manager

From: _____
Department No. & Name, Department Asset Custodian Authorized Signature

Re: Please amend the inventory to reflect the following change(s) due to DISPOSAL

METHOD OF DISPOSAL

- Auction _____
- Theft _____ (Attach the Law Enforcement Agency Theft Report)
Date _____
- Destroyed by
 - Natural Disaster _____
Date _____
 - Traffic Accident _____
Date _____
- Trade-In _____
Date _____
- Donated _____ Agency receiving donation: _____
Date _____

Disposal of: _____
FAID No. _____

Description: _____

Serial No./VIN #: _____

From: _____ Location: _____
Department No. & Name Building, Floor, Suite, or Room No.

Comments: _____

PLEASE RETAIN A COPY OF THIS FORM FOR YOUR RECORDS

PURCHASING DEPARTMENT USE ONLY

Date Form Processed

Fixed Asset Property Manager



**VERIFICATION
Of
ASSET CUSTODY REPORT by DEPARTMENT**

The inventory of assets in the Galveston County Department listed below was conducted in accordance with Section II – D of the Galveston County Asset Policy Manual. The original report, with any noted discrepancy, and appropriate documentation as necessary, is verified as accurate. The Asset Custodian who signs below accepts full responsibility for inventoried assets assigned to this department.

Department No./Department Name

Authorized Signature of Department Asset Custodian on File

Date

PURCHASNG DEPARTMENT USE ONLY

Date Form Received

Fixed Asset/Property Manager

- Verified as Reported/No Discrepancies
- Discrepancy Noted with appropriate documentation attached
- Discrepancy Noted/ No Documentation Attached
- Adjustment pending / RE: _____
- Adjusted inventory records in FA Module as of _____
Date of Action