



## **WORKFORCE BOULDER COUNTY**

**DATE:** September 25<sup>th</sup>, 2002

**WfBC POLICY SERIES # 2002-14**

**SUBJECT: Workforce Investment Act (WIA) – Procurement Policy**

**PURPOSE:** To provide each site in the Workforce Boulder County system with guidance on the procurement requirements for programs funded under the Workforce Investment Act.

**REPLACE:** N/A

**REVISED:** February 17, 2004 (2004-01)

**I. REFERENCES:** Boulder County Fiscal Rules; OMB Circulars A-102, A-110 and A-21 (Administrative Requirements), OMB Circulars A-122 and A-87 (Cost Principles); State of Colorado Procurement Rules; 29 Code of Federal Regulations (CFR) Part 95 and 97; Workforce Investment Act of 1998, Section 123; Colorado One-Stop System Policy Guidance Letter #01-12-F4; Colorado One-Stop System Policy Guidance Letter#: 00-25-Y1.

**II. BACKGROUND:** The Office of Management and Budget (OMB) Circulars and federal regulations detail specific requirements to be carried out in the procurement process. Written procedures must be established and in place covering procurement transactions. Procurement is to be carried out in a manner that ensures full and open competition, ensures fiscal accountability and prevents fraud and abuse.

States and sub-recipients must follow their applicable OMB Administrative Guidelines when using federal funds for procurement. As provided in the uniform administrative requirements for federal grants (the common rules codified at 29 CFR Parts 95 and 97) Workforce Boulder County (WfBC) follows County and Colorado state procurement regulations.

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**III. ACTION:** WfBC shall use the Boulder County procurement procedures with some exceptions, as outlined in this policy.

**A. Procedures**

In general, Workforce Boulder County shall use the Boulder County Purchasing Policies and Procedures (See Attachment A).

Purchases from \$1 - \$999: County purchase policy states that expenses within this range may be made without requisitions, phone quotes or written quotes. WfBC requires that a Limited Purchase Order (LPO) must be used for services or merchandise with a value between \$1 and \$999 (See Attachment B).

Purchases from \$1,000 - \$4,999: WfBC requires that a minimum of three telephone quotes documented on the requisition or on a telephone quote form must be provided when requesting a Purchase Order (P.O.) from the County Purchasing Department (See Attachments C–Requisition; D-Telephone Quote; E-Purchase Order). However, purchases between \$1,000 and \$4,999 that may cause undue delay or hardship for a client (e.g. car repair, rent assistance, security deposit, etc.) do not require the three quotes. In hardship situations a requisition and P.O. can be completed at the same time and submitted to County Purchasing Department for approval.

Purchases from \$5,000 - \$9,999: A minimum of three written quotes (fax quotes allowed) must be submitted to the County with each requisition or invoice.

Contracts for Services: Contract for services usually exceed \$10,000 annually. Examples of typical service contracts are computer service, rent, and janitorial. WfBC will work with the County Attorney's Office to develop a Contract for services (Attachment F is an example of a draft contract).

Insurance Requirements: A Contractor is required to procure and maintain insurance as required by the Boulder County and the Workforce Investment Act and provide WfBC a Certificate of Insurance. Boulder County's Risk Management Office (RMO) monitors all Certificates of Insurance. RMO checks that the proper Certificate of Insurance is issued at the inception of a contract. In addition, RMO monitors the expiration of Certificates of Insurance to ensure that contractors have insurance in place to protect Boulder County's interests while contracts are in force. RMO monitors the dates of expiration of Certificates of Insurance and responds to letters of expiration from the insurance companies. When RMO gets a notice that a contractor's insurance is expiring it notifies WfBC, and WfBC obtains a new Certificate of Insurance from the contractor and forwards it to RMO. When RMO notices that insurance is about to lapse and RMO has not received notice from the contractor's insurance company, RMO notifies WfBC of the impending problem so WfBC can request the new Certificate of Insurance from the contractor to forward to RMO.

Exemptions: Education expenses (tuition & fees, supplies, and books) paid directly to a school or a client are specifically exempt, and are processed for payment using a Direct Billing Training Authorization or Client /Third Party Payment (see attachments G). Other specific exemptions are outlined in the County purchasing policies and procedures.

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Assurances: All Contracts and Purchase Orders must include the specific clauses outlined in 29 CFR Part 97.36(i)(1-13) (See Attachment H – LPO’s and PO’s; Attachment I - Contracts).

Protest Procedures: Any actual or prospective bidder, offeror or proposer who is aggrieved in connection with the solicitation, evaluation, or award of a WfBC contract may formally protest to the WfBC director. Such protests must be in writing and received in the WfBC director's office within 10 working days after such aggrieved person knows, or should have known, of the occurrence of the action protested (See Attachment J).

WfBC’s Internal Fiscal Policies and Procedures for LPO’s, PO’s, Direct Billing Authorization, Third Party Payment Forms, and Gas Coupons: The Fiscal Division of WfBC has developed instructional aids to assist staff in the completion of the required forms (See Attachment K).

**IV. IMPLEMENTATION DATE:**

Immediately.

**V. INQUIRIES:** All inquiries should be addressed to WfBC Executive Director, Tom Miller

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Tom Miller, Executive Director

Date