A. Purpose

The purpose of this policy is to ensure that library funds are spent with the highest level of fiduciary responsibility to funding organizations and the citizens they represent.

B. Applicability

This policy will govern all acquisitions of the Hall County Library System (HCLS) except for those items specifically exempted.

C. Authority for Purchasing

The Library Director is the authorized purchasing agent for HCLS. This responsibility may be delegated to positions within the Administrative Services department. In addition, the following positions are authorized to make designated purchases:

- The Assistant Director has authority to purchase branch items and programming supplies and services and to sign for the Library Director for other purchases if authorized by the Director to do so.

- The Director of Information Technology may have authority to purchase technology equipment and negotiate contracts necessary to maintain the computer infrastructure of the library.

- The Director of Adult Services may have authority to purchase library materials and negotiate contracts for materials-related services and leased library resources.

- The Director of Youth Services may have authority to purchase library materials and negotiate contracts for materials-related services and leased library resources.

- The Facilities Manager may have authority for contracts and purchases related to construction, building and grounds maintenance, and FFE (furniture, fixtures, and equipment).

All positions with authorized purchasing authority must adhere to the purchasing policy and maintain documentation that the policy was followed. Failure to follow the policy may result in revocation of purchasing authority and disciplinary action.

D. Budgeted Expenditures

It is the responsibility of authorized purchasers to ensure all purchases are consistent with and support the current approved budget prior to committing funds. Unbudgeted purchases shall not be made until a source of funds has been identified and approved by the Director or Library Board, depending on the legal level of budgetary control required by the Budget Policy.

E. Purchasing Procedures
The Library Director is authorized to establish and enforce procedures to 1) ensure this policy is followed in all purchasing categories and departments, 2) provide staff with instructions for carrying out purchasing tasks, and 3) ensure a strong internal controls environment.

F. Disclaimer of Responsibility for Improper Purchasing

The Library Board may disclaim responsibility and liability for any expenditure or agreement for expenditure arising from a procurement made in its name by an unauthorized person or any person acting outside this Policy or the authorization or delegation as provided in this Policy. The expense of any such disclaimed transaction will become the personal liability of the individual who acted improperly.

G. Exemptions

The following supplies and services are exempt from this policy:

Library materials in all formats including books, periodicals, media, and electronic resources;

Real property, real estate brokerage and appraising, abstract of titles for real property, title insurance for real property and other related costs of acquisition of real property;

Purchases between governments and/or nonprofit organizations;

Dues, memberships, and subscriptions;

Utilities including but not limited to electricity, water, sanitation, and communications;

Professional services not exceeding $5,000, including but not limited to programming, medical, legal, architectural and interior design, financial, and engineering;

Training, travel, lodging, or meal expenses (which follow state travel regulations);

Legal or employment advertisements;

Sole source services or products;

Any item on county, state, or federal contract; and

Artwork for public places.

H. Methods of Source Selection

The following thresholds will be used in determining source selection method:

Purchases greater than $0 but not greater than $5,000 – authorized staff members may acquire goods or services using their best judgment as to source and number of quotes.

Purchases greater than $5,000 but not greater than $25,000 – authorized staff members will obtain at least three written quotes.

Purchases greater than $25,000 – Library Director or their designee shall obtain goods and/or services through sealed, written bids or proposals. The Library Director is authorized to negotiate the final
purchase price with the most responsive and responsible vendor. Final award of purchase shall be made by Library Board, Executive Committee, or in some instances the Construction Committee.

Exceptions:

- Any goods or services available for purchase under county, state or federal contract will not require the above source selection criteria.
- A sole source purchase exists when only one source is able to fill requirements for the intended use. Standardization or compatibility with existing equipment for repair purposes may require a sole source purchase, depending on the intended use. Preference for a particular brand does not constitute a valid reason for sole source.

The requirements for each threshold should be adhered to if at all possible. In the event the required number of responses is not received, steps taken to follow the policy will be documented. In this case, the Library Director has authority to award the purchase to the most responsive and responsible vendor.

Should additional goods or services be required within six (6) months of an original purchase (or performance of service) made in compliance with this policy, these additional goods or services may be obtained from the same vendor provided original prices and terms are still offered.

I. Contracts

Library Board or Executive Committee approval is required for all contracts exceeding $25,000 annually. Contracts shall contain such provisions as are reasonably necessary to protect the interests of the library. Contracts may be signed by the Director, who typically maintains Signature Authority for the library system. Contracts awarded can be renewed for additional years barring poor contract performance, significant changes in the contract requirements, or substantial cost increases. If any of these situations occur, a new vendor will be selected using criteria included in Section H.

The Library Director is authorized to execute contracts for personal and professional services on behalf of the Library System. Personal services delivered as part of a purchased product (e.g., installation) shall be considered part of the purchased product. Contracts for services amounting to more than $25,000 shall be advertised for bids or proposal, unless it is an exception listed in Section H. Bids/proposals shall be publicly posted and the time allowed for responding shall be not less than 14 days. Bids/proposals may also be solicited by mail to selected vendors. The Library shall accept the best qualified company or individual for the proposed services. The Library may reject all bids if there are no satisfactory proposals.

J. Emergency Purchases

Emergency purchases may be made under the following conditions:

- When there is a threat to the health, welfare, or safety of patrons or employees;
- When there is a threat to the soundness and integrity of private property;
- When there is a threat to the delivery of essential services; and
- When there is a threat of significant disruption to office procedures and normal operations.
For those purchases where the cost is less than $10,000 and the purchase does not follow standard purchasing procedures of obtaining competitive quotations (i.e., sole source and emergency purchases as described in L and M above), written justification from the head of the requesting department and approval by the Library Director is required prior to purchase.

For those purchases where the cost is $10,000 or more and the purchase does not follow standard purchasing procedures of obtaining competitive quotations (i.e., sole source and emergency purchases as described in L and M above), written justification from the head of the requesting department and approval by the Director and the Chair of the Library Board is required prior to purchase.

K. Fiscal Year End

In order to enable the timely and efficient closing of the fiscal year, purchasing activities are suspended near the end of the fiscal year. Purchases made in June require approval by the Library Director or Assistant Director.

L. Grants

All purchases made under a specific grant (e.g., state, federal, private) shall be in compliance with requirements of that grant and/or funding agency, as detailed in grant awards and other agreements. If in conflict with this policy, official grant documents or funding agreements will prevail.

M. Construction Projects

Construction projects may follow Hall County Government's procurement policies and procedures and be coordinated with the Hall County Procurement Department.