

# County Commissioners Association of Ohio

*New Member Training*

## Procurement & Purchasing

February 25, 2025

## Discussion Topics (1 of 2)

“Creatures of the Code”

Purchasing Thresholds and Options

\* Below \$77,250

\* \$77,250 and above

Exemptions to  
Competitive Requirement

Requests for Information (RFIs)

Competitive Procurement Process

Contracting

P-Cards

Integrity in Public Procurement

Discussion  
Topics  
(2 of 2)

“Creatures of the Code”

ORC 307.86 through 307.92



Purchasing  
Thresholds and  
Options





DIRECT VOUCHERS



PURCHASE ORDERS



BLANKET  
PURCHASE ORDERS

Purchases Under \$77,250

Direct  
Vouchers  
ORC 5705.41

Limited to \$100 unless an annual resolution is passed raising to a maximum of \$1000

Does not require a PO

May be a verbal order

Paid directly by Auditor (does not require BoC approval)

# Purchase Orders

All purchases over the Direct Voucher limit require a Purchase Order (PO)

May require written quotes

All POs must have Auditor's Certification of Funds and encumbrance

All POs must be approved by BoC or delegated officer



# Purchase Orders

## Recommended Procedure

- PO is sent to vendor
- Goods are received
- PO, receiving document, and invoice are matched
- Payment is made

## Blanket Purchase Orders

For purchases of non-specific items

Encumber funds for specific line-item appropriation

May remain open for entire fiscal year

Multiple blankets may exist at one time

Must follow regulations of the \$77,250 competitive bid threshold

Purchases  
\$77,250 and  
Above -  
Competitive  
Requirements



Invitation to Bid (ITB)



Request for Proposal  
(RFP)

# Invitation to Bid (ITB)

## Invitation to Bid (ITB)

- Quantifiable items or specifications
- Lowest and Best bidder:
  - Lowest price
  - Bid meets specifications
- No negotiations permitted
  - May seek clarifications
- Bids become public record upon contract award

# Request for Proposals (RFP)

- Qualitative or Performance Specifications
- Structured evaluation process and criteria for each phase are developed when creating the RFP

# Request for Proposal (RFP)

## RFP Evaluation

Proposals may be evaluated in phases:

- Written submittal/proposal
- Oral presentations/demonstrations (if needed)
- Other

Elements:

- Pricing
- Technical
- References

# Request for Proposal (RFP)

## Contract Negotiations

- May only negotiate with one vendor at a time
- Highest-ranked vendor first
- Negotiations can be stopped if not negotiating in good faith; may proceed to next highest-ranked vendor
- Cannot go back to a vendor with whom negotiations have been ended.

## Request for Proposal (RFP)

### What's Negotiable?

- All terms and conditions
- Specifications/Scope of Work
- Pricing
- Timeline/Schedule

Proposals, evaluation documents, awarded contract become public record upon contract award





# Exemptions to Competitive Requirement

Competitive  
Bidding  
Is Not Required  
(ORC 307.86)

Including, but not limited to:

- Professional services (accountant, architect, physician, attorney, consultant, etc.)
- Emergency determined by unanimous vote of BoC
- Sole source
- Another government agency
- Public social services
- Group insurance programs

## Other Methods of Purchasing

Community Rehabilitation Programs  
(Mandatory)

Ohio Cooperative Contracts (State of  
Ohio Contracts, STS, MMA, ODOT,  
etc.)

National Cooperatives (Sourcewell,  
OMNIA Partners, GSA, TIPS, Equalis,  
NACo PPP, etc.)

Cooperative Contracts of other  
governmental entities



# Request for Information (RFI)

# Request For Information (RFI)

Information gathering or market survey

Used when County is unsure of what is needed or what may be available to fulfill the need

No cost information is sought under an RFI

Does not result in the direct award of a contract to a vendor



# Competitive Procurement Process

# Competitive Procurement Notice

- Must be advertised:
  - in a newspaper of general circulation two consecutive weeks or,
  - On the official public notice website or,
  - On the website and social media account of the county
- Notice must include specific information of bid
- Public bulletin board must be maintained
- Opening and tabulation must be public at advertised time and place

## Bid/Proposal Submission Requirements

- Must be sealed
- Must be submitted no later than published date and time (time-stamped)
- Must be in the County requested format
- Bid and/or Performance Bond, as required.



## Acceptance, Rejection and Award of Bids and Proposals

- ITB: “Lowest and Best Bidder”
- May adopt “Lowest Responsive and Responsible Bidder” (ORC 9.312(c))
- RFP: Highest-ranked vendor
- May reject all bids or proposals

# Bid Bonds

## Construction (Required)

- Bond for full amount of bid plus any accepted add alternates, or
- Certified or Cashier's Check or Letter of Credit for 10% of the full bid amount including accepted add alternates.

## All other Bids (Permissive)

- Should be sufficient to cover cost of rebidding in the event the bidder defaults
- May not exceed 5% of amount of bid



Contracting

Items  
Required to  
Process a  
Contract

Findings for Recovery  
(ORC § 9.24)

Bid Bond (Permissive –  
ORC §307.88)

Performance Bond  
(ORC §153.54)

Additional  
Items  
Needed to  
Process a  
Contract

Non-Collusion  
Affidavit

Non-Discrimination  
and EEO Affidavit

Delinquent Personal  
Property Tax Affidavit

## Contract Procedures

- Approval of contracts by BoC by adoption of resolution.
- Signature authority – BoC unless delegated by BoC to County Administrator
- Prosecuting Attorney's Office signature
- Electronic signatures



P-Cards



BoC and County Auditor must be in agreement for use



An RFP must be issued for banking partner unless a cooperative contract is used



Easiest way to pay for small purchases



Saves on number of checks (warrants) issued

Purchasing Cards  
(P-Cards)  
ORC 301.29



# Purchasing Cards (P-Cards)

BoC, in conjunction with Auditor,  
must adopt a policy by Resolution

- Limit use of card
- Limit number of transactions
- Limit daily or monthly spend amount
- Limit types of goods



# Procurement Integrity

## Procurement Integrity

Purchasing personnel have a responsibility to ensure that the integrity of the BoC's procurement procedures are never called into question.

# Procurement Integrity

Counties rely on suppliers, service providers and contractors to perform its missions

Procurement Integrity is critical to a BoC's success

A County must perform its procurement activities in a manner beyond reproach, with complete impartiality and fairness for all

A violation of process integrity, or of personal integrity, undermines public confidence among voters, elected officials, federal funders and federal regulators

**Procurement Integrity** is expressed in two ways:

**1. Process Integrity:**

Integrity of the procurement process

“Doing things right”

**2. Personal Integrity:**

Integrity of the procurement practitioner

“Doing the right thing”

**What is Procurement Integrity?**

# Process Integrity

## *“Doing things right”*

- Transparency
- Fairness
- 4Cs (Clarity, Consistency, Compliance and Competition)
- Source Selection Based on Merit  
Consistent with the Published  
Requirements and Evaluation  
Criteria

# Process Integrity

## Consequences of Non-Compliance:

- Bid protest
- Procurement cancelation or delay
- Questions and increased scrutiny
- Loss of public confidence

# Personal Integrity

## *“Doing the right thing”*

- Complete impartiality
- Restrictions on soliciting or accepting anything of monetary value (e.g., gifts)
- Restrictions on seeking or accepting other employment
- Avoidance of personal conflict(s) of interest (Actual and Apparent)



# Personal Integrity

## Consequences of Non-Compliance:

- Disciplinary action (individually)
- Criminal prosecution (individually)
- Bid protest
- Procurement cancelation or delay
- Questions and increased scrutiny
- Loss of public confidence

## Procurement Integrity Summary

Procurement Integrity =

*Process Integrity + Personal Integrity*

- Do not assume
- Be proactive
- Understand your “remedies”
- When in doubt: Ask questions
- Seek advice from County Prosecuting Attorney



# Questions?

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