



Part 3: VENDORS AND PURCHASING

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 SRLS except for those items specifically exempted.

C. Ethics:

Employees governed by this Purchasing Policy must also abide by library guidelines relating to business ethics and professional conduct, as outlined in the library's Personnel Policy Manual.

D. Authority for Purchasing:

The Executive Director and Deputy Director are the authorized purchasing agents for SRLS and must approve all purchases.

E. Budgeted Expenditures:

It is the responsibility of the authorized purchasers, in coordination with the Finance Manager, to ensure all purchases are consistent with and support the current approved budget prior to committing funds.

F. Purchasing Procedures:

The Executive Director and Deputy Director are 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 control environment.

G. 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 the Policy. The expense of any such disclaimed transaction will become the personal liability of the individual who acted improperly.



H. Exemptions:

The following supplies and services are exempt from this policy:

1. Library materials in all formats including books, periodicals, media, and electronic resources;
2. Real property and other costs related to acquisition of real property;
3. Purchases between governments and/or nonprofit organizations;
4. Dues, memberships, and subscriptions;
5. Utilities including but not limited to electricity, water, sanitation, and communications;
6. Professional services not exceeding \$5,000, including but not limited to medical, legal, architectural and interior design, financial, and engineering;
7. Training, travel, lodging, or meal expenses (see Travel Regulations)
8. Legal or employment advertisements;
9. Any item on county, state, or federal contract; and
10. Artwork for public places.

I. Selection and Contract Approvals:

1. All purchases of \$50,000 or more must be advertised, have sealed bids taken and be opened in public at a place, time and date publicly announced. Under no circumstances should purchases be split to avoid bid limits. The appropriate library board must award all sealed bids.
2. All purchases under \$50,000 require at least three quotes if possible to ensure that the best price is obtained. Purchases with an estimated total cost less than \$50,000 should be purchased in accordance with the adopted purchasing rules and regulations.
3. Price is an important factor in the selection, but other criteria will be evaluated such as quality, support, and physical location of the business. Cherokee, Pickens and Gilmer County businesses are given priority whenever possible.

J. Vendors:

Vendor Approval:

Before any services can be scheduled or performed, vendors must complete the vendor application process. Vendors must complete and provide the following:

1. Vendor Profile
2. W-9



3. Certificate of Insurance – General liability insurance is required naming Sequoyah Regional Library System as an additional insured. Workers' comp coverage is also required for companies with three or more employees.

4. Contractor/Subcontractor E-Verify Affidavit (*Required for contracts over \$2,499.99*)

The Georgia Security and Immigration Compliance Act (OCGA 13-10-91), requires that Sequoyah Regional Library System (SRLS) shall not enter into a contract for the physical performance of services (as that term is defined in OCGA 13-10-90) wherein the labor or services exceed \$2,499.99, unless the contractor signs and submits a notarized E-Verify affidavit that they have registered for and use E-Verify. A contractor with no employees and no intent to hire employees, must still submit to SRLS a notarized affidavit of No Employees along with a copy of their driver's license (and a driver's license is only acceptable IF it is issued by a state that verifies lawful immigration status prior to issuance).

Vendor Issues:

1. Vendor Suspension: The SRLS Director may issue a written determination to suspend a vendor from doing business with the Library System pending an investigation to determine whether cause exists for debarment in accordance with approved purchasing procedures. A written notice of the suspension, including a copy of the determination, shall be sent to the suspended vendor with a copy to the Finance Manager. The suspension period will be effective upon issuance of the notice of suspension.

2. Vendor Debarment:

A. A vendor may be debarred for any of the following reasons:

- a. Conviction of a criminal offense in relation to obtaining or attempting to obtain a Library System contract or in the performance of such contract;
- b. Conviction under State of Georgia or Federal statutes of embezzlement, theft, forgery, bribery, falsification or destruction of records or receiving stolen property;
- c. Conviction under State of Georgia or Federal antitrust statutes arising out of the submission of bids or proposals;



- d. Failure to perform in accordance with the terms of one or more contracts following notice of such failure, or a history of failure to perform, or of unsatisfactory performance of one or more contracts;
- e. The vendor is currently under debarment by any other governmental entity that is based upon a settlement agreement or a final administrative or judicial determination issued by a Federal, state or local governmental entity.

Following completion of the investigation to determine whether a vendor has engaged in activities that are cause for debarment, the SRLS Director may debar the vendor for a period of time commensurate with the seriousness of the findings. A written notice of debarment shall be sent to the vendor. The notice shall:

- a. State the debarment period; and
- b. Inform the debarred vendor that any person(s) representing the debarred vendor during the debarment period may conduct no business with the Library System and that any solicitation responses received from the debarred vendor during the debarment period shall not be considered.

The debarment period will be effective immediately after the notice of debarment is sent to the debarred vendor.

K. Sole Source:

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.

L. Emergency Purchases:

Emergency purchases may be made under the following conditions:

1. When there is a threat to the health, welfare, or safety of patrons or employees;
2. When there is a threat to the soundness and integrity of private property;
3. When there is a threat to the delivery of essential services; and
4. When there is a threat of significant disruption to office procedures and normal operations that is not the result of poor planning.