



WASHOE COUNTY

Integrity Communication Service

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STAFF REPORT

BOARD MEETING DATE: January 16, 2024

DATE: December 20, 2024
TO: Board of County Commissioners
FROM: Eric Brown, County Manager

SUBJECT: Discussion and possible action to initiate amendments to WCC Chapter 15 concerning the Purchasing and Contracts Manager’s authority as stated in Washoe County Code 15.490, to make specified expenditures to purchase supplies, materials, equipment and contractual services required by the County in an annual amounts or estimated annual amounts up to \$300,000 per vendor contract or up to \$300,000 in the aggregate spend or encumbered per vendor, and submit to the Board of County Commissioners for award all purchase of supplies, materials, equipment and contractors services in annual mounts or estimated annual amounts in excess of \$300,000 per vendor contract or in excess of \$300,000 in the aggregate spend or encumbered per vendor in accordance with the provisions of the Local Government Purchasing Act. Action may include direction to initiate amendments to the spending authority currently in code from \$300,000 to another amount. (All Commission Districts.)

SUMMARY

At the request of Commissioner Michael Clark, this staff report is presented to discuss possible actions to initiate amendments to Washoe County Code Chapter 15. Washoe County Code section 15.490 states, in part, that listed staff can “purchase all supplies, materials, equipment and contractual services required by the agencies in annual amounts or estimated annual amounts up to \$300,000 per vendor contract or up to \$300,000 in the aggregate spend or encumbered per vendor, and submit to the Board of County Commissioners for award all purchases of supplies, materials, equipment and contractual services in annual amounts or estimated annual amounts in excess of \$300,000 per vendor contract or in excess of \$300,000 in the aggregate spend or encumbered per vendor in accordance with the provisions of the Local Government Purchasing Act. In the absence of the Purchasing and Contracts Manager, the comptroller shall assume these duties.”

PREVIOUS ACTION

June 21, 2022 - Public Hearing: Second reading and possible adoption of an ordinance amending Washoe County Code Chapter 5 (Administration and Personnel) by revising provisions to clarify the duties of the County Manager and Chief Information Officer; and amending Washoe County Code Chapter 15 (County Finances; Purchasing) by repealing redundant provisions and the Washoe County Bond Bank ordinance; adding a section

levying a \$25.00 handling charge for payments denied by a bank; and revising provisions related to: definitions pertaining to accounting systems and policies; the basis of accounting for various fund types; the creation and abolishment of county funds; definitions pertaining to property control; property control requirements; policies and procedures related to donations of property, cash contributions and grant funding; procedures for lost or abandoned property; procedures for receiving cash and negotiable instruments; the collections division; procedures for establishing new accounts; the composition of the investment committee; the time period between reviews of rates charged by the county for its various services; overpayments to the county and refunds; updating the responsibilities of the department of finance; removing references to the director of finance and creating the position of Chief Financial Officer; the powers and duties of the Comptroller; the position of Budget Manager; and the powers and duties of the Purchasing and Contracts Manager, including increasing the limit for purchasing supplies, materials, equipment and contractual services from \$100,000 or less to \$300,000 or less; and all matters necessarily connected therewith and pertaining thereto.

May 24, 2022– The Board was introduced to the first reading of the ordinance amending Washoe County Code Chapter 5 (Administration and Personnel) provisions to clarify the duties of the county manager and chief information officer; and amending Washoe County Code Chapter 15 (County Finances; Purchasing) by repealing redundant provisions and the Washoe County Bond Bank ordinance; adding a section levying a \$25.00 handling charge for payments denied by a bank; and revising provisions related to: definitions pertaining to accounting systems and policies; the basis of accounting for various fund types; the creation and abolishment of county funds; definitions pertaining to property control; property control requirements; policies and procedures related to donations of property, cash contributions and grant funding; procedures for lost or abandoned property; procedures for receiving cash and negotiable instruments; the collections division; procedures for establishing new accounts; the composition of the investment committee; the time period between reviews of rates charged by the county for its various services; overpayments to the county and refunds; updating the responsibilities of the department of finance; removing references to the director of finance and creating the position of Chief Financial Officer; the powers and duties of the Comptroller; the position of Budget Manager; and the powers and duties of the Purchasing and Contracts Manager, including increasing the limit for purchasing supplies, materials, equipment and contractual services from \$100,000 or less to \$300,000 or less; and all matters necessarily connected therewith and pertaining thereto.

October 9, 2018 - The Board approved a request by the County Manager, through the Washoe County Clerk, and pursuant to Washoe County Code (“WCC”) 2.030, to initiate amendments to the Washoe County Code (Chapter 5- Administration and Personnel; Chapter 15- County Finances; Purchasing; and Chapter 65- Safety and Disaster Services) and to direct the County Clerk to submit the request to the District Attorney’s Office for preparation of the proposed ordinances in accordance with WCC 2.040.

October 27, 2009 – Second reading and adoption of an Ordinance amending Chapter 15 of the Washoe County Code by eliminating the County Purchasing Department and creating the Purchasing and Contracts Division as a Division of Finance by eliminating the collections division as a division of finance by elimination the collections division of the finance department, by assigning the collections function to the Comptroller’s Office.

AGENDA ITEM # _____

BACKGROUND

Pursuant to Washoe County Code section 15.490, the Purchasing and Contracts Division and Purchasing and Contracts Manager are empowered, in part, to “purchase all supplies, materials, equipment and contractual services required by the agencies in annual amounts or estimated annual amounts up to \$300,000 per vendor contract or up to \$300,000 in the aggregate spend or encumbered per vendor, and submit to the Board of County Commissioners for award all purchases of supplies, materials, equipment and contractual services in annual amounts or estimated annual amounts in excess of \$300,000 per vendor contract or in excess of \$300,000 in the aggregate spend or encumbered per vendor in accordance with the provisions of the Local Government Purchasing Act. In the absence of the Purchasing and Contracts Manager, the Comptroller shall assume these duties.”

In addition to following Nevada Revised Statutes on procedures for local government purchasing, primarily found in NRS chapter 332, the Purchasing Division also follows the Code of Federal Regulations 200.320 (“C.F.R.”) methods of procurement. C.F.R. 200.320 references procurement actions that must occur for federal micro-purchase thresholds of up to \$50,000, micro-purchase thresholds over \$50,000 as well as formal procurement methods.

The procurement requirements, as detailed in Nevada Revised Statutes and the Code of Federal Regulations, are followed for the purchases that are performed by the Purchasing Division and are audited as part of the County’s annual audit.

The contractual authority of the Purchasing and Contracts Manager was limited to \$100,000 at the creation of the position and codified in Washoe County Code in 2009. There were no adjustments to this contractual authority in 13 years. In conjunction with price increases, expanded services, regionalization of services and costs of procured services and materials, the Board of County Commissioners approved the authority being increased to \$300,000 as this amount was deemed appropriate for the increase in association with a budget nearing \$1 billion.

For fiscal year 2021, there were approximately 188 vendors meeting the \$100,000 purchasing threshold and 93 vendors meeting the \$300,000 threshold.

For fiscal year 2022, there were approximately 180 vendors meeting the \$100,000 purchasing threshold and 86 vendors meeting the \$300,000 threshold.

For fiscal year 2023, there were approximately 189 vendors meeting the \$100,000 purchasing threshold and 86 vendors meeting the \$300,000 threshold.

Should the Board of County Commissioners take action to reinstate the Purchasing and Contracts Manager authority to \$100,000, this would cause a delay in the County and its departments to timely and efficiently procure the materials and services needed to ensure that the residents of the County receive needed materials and services that are offered and supported by the County.

FISCAL IMPACT

No fiscal impact

RECOMMENDATION

It is recommended that the Board maintain the Purchasing and Contracts Manager's authority as stated in Washoe County Code 15.490, to make specified expenditures to purchase supplies, materials, equipment and contractual services required by the County in annual amounts or estimated annual amounts up to \$300,000 per vendor contract or up to \$300,000 in the aggregate spend or encumbered per vendor, and submit to the Board of County Commissioners for award all purchase of supplies, materials, equipment and contractors services in annual amounts or estimated annual amounts in excess of \$300,000 per vendor contract or in excess of \$300,000 in the aggregate spend or encumbered per vendor in accordance with the provision of the Local Government Purchasing Act.

POSSIBLE MOTION

Should the Board choose to maintain the Purchasing and Contracts Manager's authority to execute contracts possible motion would be: "Move to maintain the Purchasing and Contracts Manager's authority as stated in Washoe County Code 15.490, to make specified expenditures to purchase supplies, materials, equipment and contractual services required by the County in an annual amounts or estimated annual amounts up to \$300,000 per vendor contract or up to \$300,000 in the aggregate spend or encumbered per vendor, and submit to the Board of County Commissioners for award all purchase of supplies, materials, equipment and contractors services in annual amounts or estimated annual amounts in excess of \$300,000 per vendor contract or in excess of \$300,000 in the aggregate spend or encumbered per vendor in accordance with the provisions of the Local Government Purchasing Act."