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**HOME RULE RESOLUTION NO. HR-2024-1**

**A RESOLUTION ADOPTING THE  
SHAWNEE COUNTY PURCHASING POLICY**

**Sponsored By Commissioner Cook**

**WHEREAS**, the Board of County Commissioners of the County of Shawnee, Kansas wishes to establish a purchasing policy for Shawnee County, Kansas; and

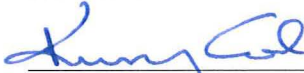
**WHEREAS**, the Board of County Commissioners of the County of Shawnee, Kansas wishes to adopt the Shawnee County Purchasing Policy as the basic guidance implementing the Board's purchasing policies;


**NOW, THEREFORE**, The Board of County Commissioners of the County of Shawnee, Kansas, meeting in regular session on this 22<sup>nd</sup> day of February 2024, does hereby resolve as follows:

1. The Shawnee County Purchasing Policy, attached hereto as Exhibit A, is hereby adopted and incorporated by reference for Shawnee County, Kansas.
2. Shawnee County Resolution No. HR-2021-2; any amendments thereto, and any other resolutions in conflict herewith, are hereby rescinded.
3. This Resolution shall take effect upon publication in the official County newspaper.

**BOARD OF COUNTY COMMISSIONERS  
SHAWNEE COUNTY, KANSAS**



  
\_\_\_\_\_  
Kevin J. Cook, Chair

  
\_\_\_\_\_  
Aaron D. Mays, Vice-Chair

  
\_\_\_\_\_  
William D. Riphahn, Member

**ATTEST:**

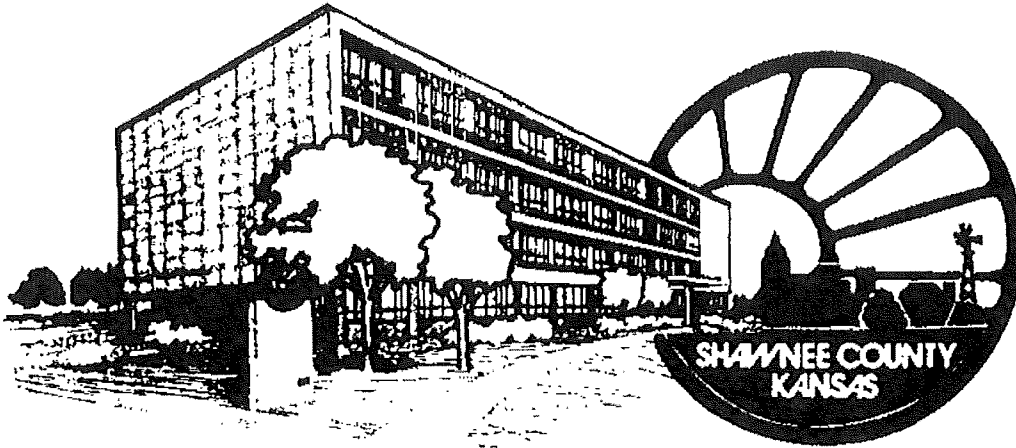
  
\_\_\_\_\_  
Cynthia A. Beck, Shawnee County Clerk

APPROVED AS TO FORM AND LEGALITY  
BY THE SHAWNEE COUNTY COUNSELOR'S OFFICE

DATE 02/12/2024 BY Jonathan Brzon

**EXHIBIT**

**A**



# **SHAWNEE COUNTY PURCHASING POLICY**

**Last Updated: February 2024**

# SHAWNEE COUNTY PURCHASING POLICY

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# SHAWNEE COUNTY PURCHASING POLICY

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## SECTION 1 – GENERAL PROVISIONS

### 1.1 PURPOSE

This policy is designed to outline the purchasing policies of Shawnee County. It is intended to ensure fair and equitable treatment of all vendors and citizens of Shawnee County and to provide efficient and economical use of Shawnee County funds.

### 1.2 APPLICATION AND WAIVERS

This policy shall apply to all expenditures. The Board of County Commissioners, by majority vote, may waive the use of this policy when the Board deems it to be in the best interest of the County to do so, as long as the waiver does not conflict with any Kansas statute.

### 1.3 RESPONSIBILITIES

#### A. Audit Finance:

- Shall be responsible for overseeing the application of this policy.

#### B. County Clerk:

- Shall be responsible for the recordkeeping of all final contracts and purchasing documentation and for maintaining inventory records of all capital assets of Shawnee County.

#### C. Department Heads (including Elected Officials):

- Shall ensure that all acquisitions made by their staff conform to the guidelines established by this policy and State law.
- Shall forward all contracts and purchasing documentation to the County Clerk.
- Staff shall provide assistance in the purchasing process where appropriate, including, but not limited to, specification development and negotiations.
- Shall present any terms and conditions to the County Counselor prior to acceptance.

#### D. County Counselor:

- Shall provide assistance to departments in reviewing contracts, agreements, terms and conditions for form and legality
- Shall assist departments in contract negotiations.

# SHAWNEE COUNTY PURCHASING POLICY

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## SECTION 2 – PURCHASING PROCEDURES

### 2.1 COUNTY CREDIT CARDS

The use of County credit cards for purchases is permitted. Employees to whom credit cards are assigned must sign the Purchasing Card Cardholder Agreement provided by Audit Finance. Audit Finance is responsible for the oversight of credit cards, including establishment of limits and types of purchases authorized.

Receipts for all purchases and the business purpose of the purchase must be submitted on a timely basis to the appropriate personnel in the department for approval and submission to the County Clerk's office for payment. A Credit Card Expenditure Report is available on the Shawnee County intranet for compiling and submitting receipts. The Credit Card Report must be signed by the cardholder verifying the purchases and approved by the Department Head.

Shawnee County credit cards shall not be used to purchase personal items for any reason. County credit cards issued to an employee shall only be used by that employee. Shawnee County shall impose disciplinary measures for such actions in accordance with the Human Resources Policy Manual, up to and including dismissal.

### 2.2 PURCHASES OF COMMODITIES AND SERVICES

For purposes of applying approval levels, multiple purchases of commodities and/or services must be considered one purchase for like-kind purchases expected to be made within the calendar year. Purchases associated with a project will be aggregated and considered one purchase. The splitting of any aggregate purchase to lower the individual portions of the purchase to below a more restrictive level is **prohibited**.

#### A. PURCHASES LESS THAN OR EQUAL TO \$10,000:

When the purchase price of the commodity and/or service acquisition is **less than or equal to \$10,000.00**, the Department Head shall have the authority to make the acquisition without prior approval or the solicitation of quotes unless a supply or service contract exists. In the event it is necessary to accept a vendor's standard terms or conditions posted online prior to completing such a purchase, the Department Head may authorize such acceptance after consultation with the Counselor's Office. Competitive telephone or online bids are encouraged to obtain the lowest price.

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### **B. PURCHASES MORE THAN \$10,000 BUT LESS THAN \$25,000:**

When the purchase price of the commodity and/or service acquisition is **more than \$10,000 but less than \$25,000**, approval for purchases of commodities and/or services will be made by the Audit Finance Department through the county's accounting system software workflow for the following items:

#### **1. Informal Bids/Proposals**

An informal bid/proposal is required unless a cooperative or state contract is being utilized. The completed bid schedule must be attached to the Purchase Request in the county's accounting software. See Section 2.6 for requirements and procedures for informal bids/proposals. In the event it is necessary to accept a vendor's standard terms or conditions posted online prior to completing such a purchase, Audit Finance may authorize such acceptance after consultation with the Counselor's Office.

#### **2. Cooperative or State Contracts**

The Cooperative or State Contract information must be attached to the Purchase Request in the county's accounting software if available or typed in the Notes section if an attachment is unavailable. Audit Finance will verify the cooperative or state contract before approval.

#### **3. Emergency Purchase**

Competitive bid/proposal requirements may be waived by the Financial Administrator as needed when, in the opinion of a department head, an emergency exists which requires the immediate purchase of commodities and/or services due to unexpected or unforeseen events which may cause serious loss to public and/or private property, endanger the health or lives of citizens of Shawnee County, or have an economic impact on County business unless immediate action is taken to purchase said goods or services.

An Emergency Purchase Form, which is available on the Shawnee County intranet, must be signed by the Department Head before being sent to Audit Finance for approval. The approved Emergency Purchase Form must be attached to the Purchase Request in the county's accounting software.

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## 4. Sole Source

Competitive bid/proposal requirements may be waived by the Financial Administrator for the purchase of goods or services when:

- a. Items or services are generally available only from one manufacturer, publisher, local distributor, or dealer;
- b. Compatibility with existing contractual services, equipment, supplies, or materials is the overriding consideration;

A Sole Source vendor determination is effective for the remainder of the calendar year for the use specified on the Sole Source Form. The Sole Source Form, which is available on the Shawnee County intranet, must be signed by the Department Head and approved by Audit Finance prior to purchase. The approved Emergency Purchase Form must be attached to the Purchase Request in the county's accounting software.

In the event it is necessary to accept a vendor's standard terms or conditions posted online prior to completing such a purchase, Audit Finance (after consulting the Counselor's Office) may authorize such acceptance. The approved Sole Source form must be attached to the Purchase Request in the county's accounting software.

## 5. Auctions

When an item is available through an online or public auction (with time constraints), the Audit Finance Department may authorize participation in the auction after analyzing the following requirements:

- a. The item was a planned purchase approved through the budgetary process.
- b. Staff has observed the item and evaluated its condition.
- c. Staff has established a value for the item being auctioned.
- d. Staff has determined the price of an identical new piece of equipment (excluding trade-in).
- e. Staff provides a value of existing equipment being replaced (if applicable, for disposal purposes).

## SHAWNEE COUNTY PURCHASING POLICY

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### C. PURCHASES MORE THAN \$25,000:

When the purchase price of the commodity and/or service acquisition is **greater than \$25,000.00**, approval from the Board of County Commissioners is required. In the event it is necessary to accept a vendor's standard terms or conditions posted online prior to completing such a purchase, the terms or conditions must be reviewed by the County Counselor's office prior to consideration by the Board of County Commissioners. These purchases can be made by:

1. Requests for Proposal (RFP)
2. Cooperative or State Contract
3. Sole Source
4. Emergency Purchase

### D. SUPPLY AND TRADE SERVICE CONTRACTS:

County departments shall be **required** to make purchases from the County's supply and trade service contracts if an applicable supply and service contract exists for the goods and services being purchased unless the purchase would otherwise qualify for an exemption under this policy. Supply and Trade Service Contracts will be established by the Audit Finance Department, predominantly through the competitive sealed bidding process, for the provision of goods and services commonly required by County departments. All Supply and Trade Service Contracts must be reviewed by the County Counselor's office for form and legality, and approved by the Board of County Commissioners. A current list of supply and service contracts is available on the Shawnee County intranet.

### 2.3 PROFESSIONAL SERVICES excluding legal professional services

- A. Any department head needing professional services shall compile a list of potential vendors for a Request for Proposal (RFP) and send to the Audit Finance Department.
- B. Projects involving Federal monies may require selection from the List of Prequalified Consultants established by the Kansas Department of Transportation (provided by the Bureau of Management and Budget) or a similar list of architects furnished by the State Architect's Office.
- C. Board of County Commissioners Approval: Board of County Commissioners approval is required to begin the selection process for such services.
- D. Notification of Prospective Applicants: Upon Commission approval, a request for qualifications will be drafted and posted to the County's bid

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portal. The portal will automatically send an email to all vendors who have registered for that category, informing them of the request. The request for proposals shall include a statement of the scope and specifications of the project (including the type of project, location, and size), as provided by the applicable department head. The notice shall also include a description of the specific qualifications or abilities the person or firms possesses which will be required for the project. This request will be posted and open in the bid portal for not less than two (2) weeks.

- E. Selection Committee: A Selection Committee for the selection of Architects, Engineers, Realtors and Appraisers shall be composed of the department head for whom the project is to be undertaken or which has primary responsibility for the project, the Public Works Director or designee, the Facilities Management Director or designee, the Director of Information Technology or designee, the County Counselor and any other designee appointed by the Board of County Commissioners.
- F. Selection Process: This committee shall review all submittals provided by the persons or firms being considered. This committee shall conduct all interviews that it deems necessary for the selection. At the discretion of the Board of County Commissioners, one Commissioner may attend all interviews. The Selection Committee shall then establish an Order of Preference of the persons/firms for negotiations. The Commissioner attending the interviews shall refrain from participating in the formulation of the order of preference. This order of preference shall be submitted to the Board of County Commissioners by the Selection Committee as a written report. The Public Works Director shall advise the Board of County Commissioners of the standards and criteria whereby the persons and/or firms were considered.
- G. Contracts for capital improvement projects may be let via the "Design-Build" or the "Design-Bid-Build" procurement process with the Board of County Commissioner's approval. The "Design-Build" procurement process is one in which both the design and construction of the project are procured from a single entity. The "Design-Bid-Build" procurement process is one in which the design, bidding process and construction of the project are procured from a single entity. Each Request for Proposal (RFP) for a capital improvement project shall describe the procurement process to be utilized and the criteria that the County will use to evaluate the proposals.

### **2.4 LEGAL PROFESSIONAL SERVICES**

Competitive bid/proposal requirements may be waived by the County Counselor for legal professional services. Legal Professional services are services that may only be performed by a licensed attorney (including support staff) in representing or advising the Board of County

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Commissioners or any agent or employee of Shawnee County. All purchases of Legal Professional Services shall be approved by the County Counselor or by the Board of County Commissioners.

## **2.5 HEALTH AND PROPERTY INSURANCE**

Board of County Commissioners Approval: Purchases of health insurance policies will be recommended by the health insurance committee. Property insurance will be recommended by the County Clerk and Financial Administrator. The Financial Administrator should be consulted on the financial impact of all such negotiations. All policies must be presented for Board of County Commissioners approval.

## **2.6 INFORMAL BIDS/PROPOSALS**

In situations where informal bids/proposals are required, at least three (3) bids/proposals must be solicited from qualified vendors. The bids/proposals can be verbal or written. Written bids may be in the form of letter, fax, online or e-mail. Verbal bids must be compiled on a schedule, available on the Shawnee County intranet, and attached to the invoice. Written justification, approved by the Financial Administrator, must be provided with the invoice if the low bid is not accepted. The bid schedule must be an attachment to the Purchase Request in the County's accounting software. Audit Finance will approve the purchase request in the County's accounting software workflow.

## **2.7 REQUEST FOR PROPOSAL (RFP)**

- A. Board of County Commissioners Approval: A written request to issue a formal Request for Proposal (RFP) must be submitted to the Board of County Commissioners for their approval.
- B. Publication: All requests for formal bids/proposals shall be published in the newspaper designated by the Board of County Commissioners and include procedures for obtaining bid specifications as well as being posted on the County's Bid Portal.
- C. Formal Bid/Proposal Submission: Bids and proposals will be accepted in the County's Bid Portal. Bids and proposals cannot be submitted after the deadline. The Financial Administrator shall have the authority to make exceptions when special circumstances exist; documentation of these circumstances shall be required.
- D. Bid/Proposal Opening.
  - 1. Bids: Bids shall be recorded by the purchasing specialist or substitute in the Audit Finance Department. The amount of each bid and any other relevant information, together with the name of

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each bidder, shall be recorded. The record of bids shall be open to public inspection.

2. Proposals: Proposals shall be recorded by the purchasing specialist or substitute in the Audit Finance Department. The name of the vendor shall be recorded. The proposal information shall be subject to the Kansas Open Records Act.

E. Changes/Withdrawals to Bids/Proposals: Bids and proposals may be replaced or withdrawn prior to the stated deadline through the bid portal.

F. Awards: The purchase and/or contract shall be awarded or rejected with reasonable promptness. The department head must submit the bids/proposals and the recommendation for award to the Board of County Commissioners for approval.

### **2.8 EXEMPTIONS TO PURCHASING POLICY**

The following items are exempt from this purchasing policy

- A. Food, drinks and other supplies needed for camps and concession stands. Liquor, cereal malt beverages and other licensed products may be purchased for the golf courses. – competitive bids are encouraged
- B. Vaccines and medical supplies
- C. Bulk postage
- D. Clean up of neglected properties as deemed necessary by the County Counselor's Office – competitive bids are encouraged
- E. Partnership agreements for the Stormont Vail Events Center
- F. Expert witnesses for the purpose of testifying on behalf of the County in any administrative or legal proceeding hired through the County Counselor's Office.
- G. Purchases of real estate shall require Board of County Commissioners' approval. Prior to any real estate purchase, the department must consult with the Financial Administrator and County Counselor. However, purchases of right of way by the Shawnee County Public Works Department shall require Board of County Commissioners' approval only.

### **2.9 CONTRACTS**

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- A. Length: Contracts for commodities and/or services may be written in such a manner that they are renewable for up to five (5) years.
- B. Repository: All contracts are maintained in the County Clerk's office for a period of five (5) calendar years after expiration of the contract. Any formal bid documentation is maintained by Audit Finance.
- C. All contracts must be reviewed and approved by the County Counselor's office before being presented to the Board of County Commissioners.
- D. Signatures: All contracts must be signed by the Chairperson of the Board of County Commissioners after Commission approval.

### **2.10 LEASE AND LEASE-PURCHASE ARRANGEMENTS**

When it is in the best interest of the County to lease or lease-purchase goods rather than acquire them, the policies outlined herein shall be applied in the same manner as an acquisition and contract.

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## SECTION 3 – PROTESTS, SUSPENSION, OR DEBARMENT

### 3.1 PROTESTS BY VENDORS

Vendors or potential vendors who do not agree with the conditions, specifications or scope of services or other requirements contained in any procurement, whether by bid or request for proposal, shall be afforded the opportunity to protest the solicitation. Bidders or respondents who do not agree with the County's recommendation for bid or RFP award shall be afforded the opportunity to protest the recommendation.

#### A. Submission of Protest

1. Bid or RFP Solicitation: Protests of any bid or RFP solicitation must be submitted in writing to the Audit Finance Department more than 3 business days prior to the closing date and time stated in the bid/RFP documents in order to be considered. No sealed bids shall be opened until protests made pursuant to this Section have been finally decided.
2. Recommendation for bid/RFP award. Bidders or respondents who do not agree with the County's recommendation for bid or RFP award may submit written protest to the Financial Administrator, who shall deliver it to the Chair of the Board of County Commissioners and County Counselor. Such protest shall be provided within 3 business days after the award decision by the Board of County Commissioners. Bids or proposals not meeting the minimum published requirements (including specifications and/or scope of service) or the rejection of all bids by the Board of County Commissioners are not subject to protest.

B. Effective Date of Contract: No contract subject to appeal or protest under Section 3.1.A.2 shall become effective or signed on behalf of the County until AFTER the 3 day protest period has expired. If a protest is made by a bidder submitting a bid and meeting the minimum published requirements (including specifications and/or scope of service), the effective date of the award of the contract shall be further delayed until the appeal is heard and finally decided.

C. Response to Protest of Bid or RFP Solicitation: The Financial Administrator and County Counselor shall consider and decide any protest of a vendor or potential vendor who does not agree with the conditions, specifications, scope of services or other requirements contained in any procurement, whether by bid or request for proposal. The written decision of the Financial Administrator shall

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be delivered to the protesting vendor. Decisions sent via e-mail, facsimile, or other electronic communications shall be deemed delivered when sent to a representative of the vendor. Decisions sent by U.S. mail shall be deemed delivered two days after deposit in the U.S. Mail, postage prepaid. The vendor may appeal the decision of the Financial Administrator to the Board of County Commissioners by providing written appeal to the Financial Administrator, who shall deliver it to the Chair of the Board of County Commissioners. Such appeal must be received by the Financial Administrator within 3 business days of delivery of such decision.

- D. Response to Protest of Contract or Appeal of Bid/RFP Solicitation: The Board of County Commissioners shall consider any protest or appeal in public session and the decision of the Board of County Commissioners shall be final.

### **3.2 SUSPENSION OR DEBARMENT OF VENDORS**

Shawnee County may suspend or debar a vendor or potential vendor from participation in County purchasing opportunities and practices upon showing of just cause. During the period of suspension or debarment, the County shall reject any bid, proposal or other offer by the vendor and shall return any submission to the suspended/debarred vendor. This section applies to both contractors and subcontractors.

- A. Just cause for Suspension: Just cause for suspension shall include any of the following:
1. Failure to Comply: Failure to comply with the conditions, specifications or terms of a bid or proposal or contract with the County.
  2. Misrepresentation: Commission of any misrepresentation in connection with a bid or proposal.
  3. Criminal Offense: Charged by a court or competent jurisdiction with the commission of a criminal offense as an incident to obtaining or attempting to obtain a public or private contract or subcontract, or in the performance of such contract or subcontract. If charges are dropped or the vendor found not guilty, the suspension shall be lifted automatically upon notification and proof of final court disposition provided to the County by the vendor.

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4. Conviction:
    - a. Conviction under state or federal statutes of embezzlement, theft, forgery, bribery, falsification or destruction of records, receiving stolen property or any other offense indicating a lack of business integrity or honesty which currently, directly and seriously affects that vendor's responsibility as a County supplier. If charges are dismissed or the vendor found not guilty, the suspension shall be automatically lifted upon written notification and proof of final court disposition provided to the County by the vendor.
    - b. Conviction under state or federal antitrust statutes arriving out of the submission of bids or proposals.
  5. Insolvency: Vendor becomes insolvent, has proceedings in bankruptcy instituted against it or consolidates its debts or assigns over its estate or affects for payment thereof or has receiver appointed over its property.
  6. Other: Any other cause the Financial Administrator or County Counselor determines to be so serious or compelling as to materially and adversely affect the responsibility of the business as a government contractor, including but not limited to suspension by another government entity for substantial cause.
- B. Just Cause for Debarment: Just cause for disbarment shall include any of the following:
1. Failure to Comply: Failure to comply with conditions, specifications, drawings, schedules or terms of a bid, proposal or contract with the County including a recent record of unsatisfactory performance in accordance with the terms of one or more contracts.
  2. Conviction
    - a. Conviction by or judgment obtained in a court of competent jurisdiction for commission of offenses in connection with the vendor's commercial enterprise. If the conviction is reversed through the appellate process,

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the debarment shall be immediately lifted upon written notification and proof of final court disposition to the County from the vendor.

- b. Conviction for the commission of any fraud or act of collusion in connection with a bid, quotation, proposal or other act incident to doing business with the County.
3. Federal Debarment List: Inclusion on any Federal debarred vendor list.

### C. Procedures

1. Investigation: The Financial Administrator shall promptly investigate and prepare a written report concerning a proposed suspension or debarment. This report shall be forwarded to the County Counselor stating with specificity the facts supporting the request for suspension or debarment.
2. Decision: Within 5 work days of receipt of the report, the County Counselor shall issue a notice of suspension or debarment. The vendor shall be immediately advised by certified mail with return receipt requested. The letter will contain the following specific information:
  - a. Statement that suspension or debarment has been imposed by the county, effective upon receipt.
  - b. Detailed information as to the reason and cause(s) for the suspension or debarment in terms sufficient that the vendor will understand the conduct or transactions upon which the action is based.
3. Appeal: The vendor may within five (5) working days of receipt of notice, present a written request for reconsideration including additional information relating to the reason given for suspension or debarment. The Financial Administrator, in consultation with the County Counselor, shall consider such additional information in deciding whether the decision to suspend or debar should be delayed or revised. If the original decision to suspend or debar is determined to be proper and justified, the vendor shall be suspended or debarred as planned.

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### D. Duration of Suspension/Debarment

1. Suspension: A vendor may be suspended for a maximum period of 6 months if it is believed to be involved in any of the activities listed in Section 3.2.A.
2. Debarment: A vendor may be debarred for a period not to exceed 5 years if after investigation it is found to be engaged in any of the activities listed in Section 3.2.B.

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## SECTION 4 - ETHICS IN COUNTY CONTRACTING AND PURCHASING

### 4.1 GENERAL STANDARDS OF ETHICAL CONDUCT

#### A. General Statement

Any attempt to realize personal gain through County employment by conduct inconsistent with the proper discharge of the employee's duties is a breach of public trust. Shawnee County shall impose disciplinary measures for such a breach in accordance with the Human Resources Policy Manual, up to and including dismissal.

#### B. Employee's Responsibilities

It shall be the responsibility of County employees involved in any decision to purchase goods and/or services on behalf of the County to avoid the appearance of impropriety in such decision making.

#### C. Employee use of County Credit Cards

All Shawnee County credit cards shall be used strictly for Shawnee County business exclusively by the cardholder. Allowing other parties to make purchases utilizing the card is prohibited. At no time shall any Shawnee County issued credit card be used to pay for personal expenses incurred by the user. Any charges for personal expenses shall be the sole responsibility of the user. In addition, any employee who charges or attempts to charge personal expenses to a Shawnee County credit card shall be subject to the disciplinary procedure as established by the Shawnee County Personnel Rules and Regulations and/or any applicable Union contract.

### 4.2 EMPLOYEE CONFLICT OF INTEREST

#### A. Definitions

1. Contract: The term "contract" as used herein shall mean any agreement between County and one or more other persons or businesses by which the other persons or businesses agree to provide, in exchange for consideration, any type of property, whether tangible or intangible, services, or any other benefits to or for the County.

2. Employee: The term "employee" as used in this section shall apply to any person, whether appointed or elected, who receives a paycheck from the County.

3. Substantial Interest: A substantial interest includes any legal or equitable interest of an employee or employee's spouse in a

## SHAWNEE COUNTY PURCHASING POLICY

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business exceeding \$5,000 or 5% of any business of an employee or the employee's spouse, whichever is less.

B. Kansas Statutes: Pursuant to K.S.A. 75-4304, it shall be a breach of ethical standards for any County employee, in his/her capacity as such employee, to make or participate in the making of a contract with any person or business by which he/she (or his/her spouse) is employed or in whose business he/she has substantial interest. A County employee shall not be considered to have made or participated in the making of a contract if he/she has abstained from any action with regard to the contract.

C. Exceptions: Section 4.2.B does not apply when either of the following circumstances is in place:

1. Contracts awarded after competitive purchasing practices have been followed using the procedures outlined in previous sections of this policy.
2. Contracts for property or services for which the price or rate is fixed by law.

### **4.3 GIFTS, GRATUITIES, KICKBACKS AND CONTINGENT FEES**

A. Gifts and Gratuities: Shawnee County personnel shall not accept an economic opportunity, gifts not to exceed a nominal value, loan, gratuity, special discount, favor, hospitality, or service from any person or company known to have a special interest, under circumstances where he/she knows or should have known that a major purpose of the donor is to influence him/her in the performance of his/her official duties. Hospitality in the form of food or beverages is presumed not to be given to influence a Shawnee County employee in the performance of his/her official duties.

B. Kickbacks: It shall be a breach of ethical standards for any payment, gratuity or offer of employment to be made by or on behalf of a subcontractor under a contract or order to prime contractor or higher tier subcontractor or any person associated therewith, as an inducement for the award of a subcontract or order.

C. Contingent Fees: It shall be a breach of ethical standards for a person to be retained or to retain a person, to solicit or secure a County contract upon an agreement or understanding for a commission, percentage, brokerage or contingent fee, except for retention of bona fide employees or bona fide established commercial selling agencies for the purpose of securing business.

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### **4.4 RESTRICTIONS ON EMPLOYMENT OF PRESENT EMPLOYEES**

Except as may be expressly permitted by the Board of County Commissioners or their designee, it shall be a breach of ethical standards for any County employee who is participating directly or indirectly in the purchasing process to become or be, while being a County employee, the employee of any person contracting with the County.

### **4.5 USE OF CONFIDENTIAL INFORMATION**

Shawnee County personnel shall not use, directly or indirectly, inside information to further a private gain for themselves or others if that information is not generally available to the public and was obtained by reason of their Shawnee County position.

### **4.6 CIVIL AND ADMINISTRATIVE REMEDIES AGAINST EMPLOYEES AND NON-EMPLOYEES WHO BREACH ETHICAL STANDARDS**

Civil and administrative remedies against employees and non-employees which are in existence on the effective date of this manual shall not be impaired. In addition to existing remedies for breach of ethical standards of this section, Shawnee County shall impose disciplinary measures in accordance with the Human Resources Policy Manual.

The value of anything transferred or received in breach of the ethical standards of this section, or regulations promulgated hereunder, by an employee or non-employee may be recovered from both the employee and non-employee.

All procedures under this section shall be in accordance with due process requirements. To the extent that violations of the ethical standards of conduct set forth in this section constitute violations of federal or state law, they shall also be punishable as provided therein. Such sanctions shall be in addition to the civil remedies set forth in this manual.



**County Clerk's  
Office**

**Shawnee County Clerk**

**Cynthia A. Beck**

200 SE 7<sup>th</sup> Street, Room 107

Topeka, Kansas 66603

**Ph. 785.251.4155**

**Email: cyndi.beck@snco.us**

February 22, 2024

The Topeka Metro News  
800 SW Jackson St., Ste 1118  
Topeka, Kansas 66612-1244

ATTENTION: Legal Advertising

Please publish Home Rule Resolution No. HR2024-1 adopting the Shawnee County purchasing policy as follows:

Monday, February 26, 2024

Mail the original Affidavit of Publication and publication bill to Cynthia A. Beck, Shawnee County Clerk, 200 SE 7<sup>th</sup> Street Room 107, Topeka, Kansas 66603.

Thank you for your cooperation.

Sincerely,

*Cynthia A. Beck/kko*

Cynthia A. Beck  
Shawnee County Clerk

CAB/kko

CONFIRMATION

L17092

**The Topeka Metro News**

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Topeka, KS 66612-1244  
Phone: (785) 232-8600

Attention: Kristine Otto

*Mailing Address:*

ATTN: CYNTHIA BECK  
SHAWNEE COUNTY CLERK  
200 SE 7TH ST RM 107  
TOPEKA KS 66603-3963

Phone: 785-251-4216

We received the following legal notice for publication in The Topeka Metro News. Please look over the publication dates below and the contact information above. Let us know if you have any changes.

Received By: Emily Kares

Date Received: 2/22/24

Publication: Home Rule Resolution No. 2024-1

Case Number:

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Publication Dates: 2/26/24

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