

MINUTES
LAS VEGAS-CLARK COUNTY LIBRARY DISTRICT
BOARD OF TRUSTEES' PURCHASING POLICY COMMITTEE OF THE WHOLE BOARD MEETING
LAS VEGAS, NEVADA
August 13, 2015
(approved September 10, 2015)

The Board of Trustees' Purchasing Policy Committee of the Whole Board of the Las Vegas-Clark County Library District met in regular session in the Windmill Boardroom, Las Vegas, Nevada, at 6:00 p.m., Thursday, August 13, 2015.

Present: Board: M. Saunders, Chair K. Crear
R. Ence Y. Yturralde
K. Benavidez S. Bilbray-Axelrod (via telephone)
S. Moulton (telephone/in person)
R. Wadley-Munier M. Francis Drake

Counsel: G. Welt

Absent: F. Ortiz - excused

Staff: Dr. Ronald R. Heezen, Executive Director
Numerous Staff

Guests:

M. Saunders, Board Chair, called the meeting to order at 6:00 p.m. Trustee Ortiz, original appointed Committee Chair was not able to attend.

Roll Call (Item I.) All members listed above represent a quorum. Trustee Bilbray-Axelrod attended via telephone and Trustee Moulton attended via telephone until she arrived at approximately 6:25 p.m. Appendix A.

Public Comment (Item II.) None.

Agenda (Item III.) Trustee Wadley-Munier moved to approve the Agenda as proposed. There was no opposition and the motion carried.

Discussion and possible Committee action regarding a review of the District's Purchasing Policy. (Item IV.A.) Deputy Director/CFO Fred James explained that the District's current *Purchasing Policy* was adopted on November 15, 2001, and revised and adopted on June 14, 2007.

He noted that the current policy dates back to before the recession. In addition, there were some amendments to the Nevada Revised Statutes (NRS) in this area that came out of the 2015 Legislative session. These should be codified by October 2015. Including the direction from Trustees to be provided at this meeting, staff will be reviewing the policy and plan to bring a revised policy back to Trustees in January or February of 2016.

Mr. James reviewed the District's current *Purchasing Policy* and the procedures staff use when purchasing items for the District. His presentation is attached as Appendix B.

After Mr. James finished his presentation, Chair Saunders asked for questions and comments from Trustees.

Trustee Crear asked how the \$50,000 current level required for Board approval for Services and Supplies purchases was established. Mr.

James explained that the original level was \$25,000 when the *Policy* was adopted in 2001 and the \$50,000 figure was part of the changes to the *Policy* made in 2007. She commented that she thought that was low, since all the purchases come from an budget approved by Trustees, but there should be a limit acceptable to all.

Mr. James agreed that staff should be more explicit in requesting approval on certain items, like the computer equipment in the Information Technology item from the June 2015 Board meeting that led to this discussion. Even though computer purchases are exempt from bidding requirements, more information about the specifics of the purchase would help Trustees in reaching their decision.

Trustee Wadley-Munier appreciated the information in the presentation as it provided clarification about the process. She said her main concern is not only the dollar amount, but that any level of authority provides protection for the District, its employees and Trustees. Counsel Welt explained that even items that are exempt from the bidding process are reviewed by more than one person and approved by the department head. All contracts are reviewed by Counsel Welt and signed by Executive Director Dr. Heezen. Staff in Financial Services review all invoices prior to payment.

Mr. James added that staff are not required to bid professional services agreements, but many times an RFQ process is done in order to ensure the District is casting a wide net for the best services.

Trustee Bilbray-Axelrod said she briefly looked at policies for other libraries and felt, for a library of our size, our limits are quite low. She added that Nevada law seems to go out of the way to make sure that the process is clear and transparent. She said that as long as the current process does not seem to be a problem, where staff are coming to the Trustees for changes or exceptions, since Trustees meet monthly and receive reports at each meeting, she feels comfortable continuing with the current dollar levels for approval.

Trustee Crear suggested that staff include a monthly report on purchasing levels in addition to the monthly financials. She also commented that she is happy staff are advertising purchase opportunities to minority vendors as she wants the District to be inclusive.

While Trustee Crear was speaking, Trustee Moulton arrived in the meeting room.

Trustee Ence said the important thing was to periodically review the *Policy*, especially since it had not been updated since 2007. There were changes that would affect it due to legislative action and there were a lot of new Trustees. He felt that questioning the IT item several months ago, which was due to the large number of expensive purchases that were included was a good thing as it started this discussion and he looked forward to seeing the proposed revisions by staff.

Trustee Yturralde asked if any items would be further exempted in the NRS changes and Mr. James said he would make sure in the policy

revisions to be clear on those items.

Trustee Wadley-Munier reiterated the idea of a monthly purchasing report and Trustees Crear and Bilbray-Axelrod said that, depending on the final proposed dollar limit, they would be agreeable to such a report.

Trustee Melendrez asked about training for vendors on the District's bidding process. Mr. James said that staff does not generally provide training but can direct vendors to training provided by the city of Las Vegas, Clark County and the State of Nevada. Trustee Yturralde added that several of the Chambers of Commerce offer training in this area as well. In addition, as part of the RFP process, Facilities Director Steve Rice and his staff have mandatory conferences prior to the bid submittal where they walk through the entire process.

Mr. James noted another exception to the bid process; the District's use of joinders, where the Trustees must approve the District's signing on to an already approved contract with another public entity.

Trustee Crear suggested that small vendors do need more assistance becoming familiar with the process and hope that staff can make a point of directing them to the information they need. Mr. James said that he believed that one of the NRS changes would include the District providing information on different types of vendor categories.

Chair Saunders thanked Mr. James for his presentation and asked Mr. James to email copies to all Trustees. Trustee Bilbray-Axelrod said she had received it since she was participating by telephone and it was very helpful to receive. She appreciated presentations on District policies.

Mr. James will incorporate suggestions made at this meeting into the review of the Purchasing Policy to be conducted by staff in the Fall. No action was taken at this meeting.

**Public Comment
(Item V.)**

None.

**Executive Session
(Item VI.)**

Chair Saunders advised attendees that the Executive Session would be closed and said that it would cover possible litigation and labor issues. Chair Saunders adjourned the meeting into Executive Session at 6:34 p.m.

Chair Saunders reconvened the Regular Session at around 7:00 p.m.

**Adjournment
(Item VII.)**

Chair Saunders adjourned the meeting at around 7:00 p.m.

Respectfully submitted,

Ydoleena Yturralde, Secretary

2015 ATTENDANCE

Appendix A

August 13, 2015 Purchasing Policy Committee Meeting

2015		January 8 Regular Board Mtg	February 12 Regular Board Mtg	March 12 Nominating Committee Mtg	March 12 Regular Board Mtg	April 9 Finance and Audit Cmte	April 9 Regular Board Mtg	May 19 Bylaws Cmte Mtg	May 21 Regular Board Mtg	June 11 Nominating Cmte	June 11 Regular Board Mtg	July 9 Regular Board Mtg	August 13 Purchasing Policy Committee
Benavidez*	Kelly	P	P	X	X	X	X	X	X	X	X	X	X
Bilbray-Axelrod	Shannon	P	P	P	P	P	P	A-E	P	P	P	P	
Crear	Keiba	P	P	P	P	P	P	P	A-E	P	P	P	
Drake	Marilyn	P	P	P	P	P		P		A-E	P	P	
Ence	Randy	P	P	P	P	P		P	P	P	P	P	
Melendrez**	Jose	X	X	P	P		A-E		P	P	P	P	
Moulton	Sheila	P	P	P	P	P	P	P	P	P	P	P	
Ortiz	Felipe	P	P	P	P	P	P	P	P	P	P	P	A-E
Saunders	Michael	P	P	P	P	P	P	P	P	P	P	P	
Wadley-Munier	Robin	A-E	P	P	P	P		P	P	P	P	A-E	P
Yturralde	Ydoleena	P	P	P	P	P	P	P	P	P	P	P	

attended Committee meeting but not a member

A-E Excused Absence
 A-U Unexcused Absence

* Term expired March 6, 2015
 ** Appointed for a term beginning March 6, 2015

as of August 13, 2015

PURCHASING POLICY REVIEW

Fred James
Deputy Director/CFO

Purchasing Policy Outline

- Authorization Limits of Expenditures
 - Services and Supplies expenditures
 - Public Works expenditures
- Items and Services Requiring Formal Bids
- Minority And Women Owned Business Enterprises
- Purchasing Procedures

Authorization Limits of Expenditures

Two Types

- Services and Supplies (NRS 332) include:
 - Office and Operating Supplies:
 - Paper, paper clips, staples, small equipment, & book materials
 - Work related travel – Mileage, hotel accommodations, airline tickets
 - Equipment Maintenance & Repairs:
 - Copier, scanners, printers, & faxes
 - Software Licenses and Maintenance
 - Kronos, MIP, III
 - Professional and Legal services
- Public Works (NRS 338) means any project for new construction, repair or renovation financed in whole or in part from public money

Items and Services Requiring Formal Bids

- For:
 - Services & Supplies
 - Under \$25K requires **no** formal or informal bid
 - Between \$25K and under \$50K requires an informal bid
 - \$50k and over requires a formal bid with Board approval
 - Public Works
 - Under \$25K requires **no** formal or informal bid
 - Between \$25K and under \$100K requires an informal bid
 - \$100k and over requires a formal bid with Board approval

Items and Services Requiring Formal Bids

Continued

- Requirements for:
 - Informal bids for
 - **Services & Supplies** requires soliciting at least 2 or more bid requests, if possible
 - **Public Works** requires soliciting at least 3 or more bid requests
 - Formal bids requires bids to be advertised in the local paper for both Services & Supplies and Public Works expenditures

Items and Services Exempt from Formal Bidding

- Sole source
- Personal and professional services contracts
- Purchases of library books and materials
- Computer software and equipment
- Insurance
- Emergency contracts

Minority and Women Owned Business Enterprises

- Good Faith effort to utilize
- Purchases subject to formal bidding must include language that prohibits any form of discrimination
- Vendors with Subs must seek bids from minority & women owned businesses
- To encourage participation by minority & women owned business
 - Publish quarterly information in community based newspapers
 - Fax “Invitation to Bid” to minority Chambers
 - Utilize City of Las Vegas and Clark County Directories
 - Submit “Invitation to Bid” to “Fax on Demand” system with the County

Purchasing Procedures

- Financial Services Department shall promote procedures to support this policy
- Exception to Purchasing policies

Procedures for Expending District Funds

