

Town of Dallas
Agenda
JANUARY 22, 2019
5:00 PM

BOARD OF ALDERMEN – WORK SESSION MEETING

Rick Coleman, Mayor

Allen Huggins

Darlene Morrow

Stacey Thomas

Jerry Cearley, Mayor Pro-Tem

E. Hoyle Withers

<u>ITEM</u>	<u>SUBJECT</u>	<u>Pages</u>
1.	Pledge of Allegiance to the Flag	
2.	Approval of Agenda with Additions Or Deletions	
3.	New Business	
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TOWN OF DALLAS, NORTH CAROLINA

REQUEST FOR BOARD ACTION

DESCRIPTION: Town Signage

AGENDA ITEM NO. 3A

MEETING DATE: 1/22/2019

BACKGROUND INFORMATION:

At the November 27, 2018 Work Session, two conceptual drawings were reviewed to determine whether to pursue vertical or horizontal signs to be placed on Hwy. 321. The Board consensus was to work with the designer on vertical signs.

In order to facilitate the process, a committee of two elected officials and two staff members is being recommended to work with the designer and bring back a proposal to the full Board for approval.

MANAGER'S RECOMMENDATION: Nominate 2 Elected Officials, along with the Town Manager and Public Works Director, to serve as a sign development committee.

BOARD ACTION TAKEN:

TOWN OF DALLAS, NORTH CAROLINA

REQUEST FOR BOARD ACTION

DESCRIPTION: Extensions of Utilities Policy

AGENDA ITEM NO. 3B

MEETING DATE: 1/22/2019

BACKGROUND INFORMATION:

In order to better control the extension of the Town's water and sewer infrastructure, the Public Works Director and Town Engineer have developed an Extension of Utilities policy outlining the requirements that must be followed by a developer to attach new properties to the Town's water and sewer system. In order to maintain the integrity and quality of the Town's water and sewer systems, any new attachments would have to be in compliance with the proposed policy before being allowed to become a customer.

This policy is for review before being brought before the Board for final approval and implementation.

MANAGER'S RECOMMENDATION: Review the proposed policy and suggest revisions, if any, before final adoption.

BOARD ACTION TAKEN:

Town of Dallas Policy for Extensions of Utilities

- (a) All water and sewer extensions will be made by the Town's Utility Department or approved licensed utility contractor. All cost associated with this utility extensions including but not limited the following; construction cost, permit fees, engineer cost, review fees, all water and sewer user charges, and any applicable system development fees shall be the responsibility of the developer or owner. All procedures set forth in this policy shall be followed for all such extensions.
- (b) Any person desiring to install any water or sewer line within the Town's service area to be connected to and served by the water and sewer system of the Town shall make application therefore to the Town and with the Town approval to the North Carolina Department of Environmental Quality on forms designated by the North Carolina Department of Environmental Quality and shall furnish such information or exhibits as are required by such application forms. With such application, the applicant shall:
 - (1) Pay to the Town the nonrefundable application fee set forth in the Town's schedule of fees and any fees required by North Carolina Department of Environmental Quality.
 - (2) Submit 5 copies of engineering plans, profiles and specifications of such water main or sewer line, including those for any required fire hydrants, valves, manholes, sewer lift stations, force mains or collector sewer lines necessary in connection therewith, to the Town for approval.

During plan review the Town may determine upsizing and/or changes of utilities would benefit the Town future system requirements. The Town may request these plan revisions and may require estimates to be prepared and submitted for review to determine cost of construction. The Town may require these revisions and shall reimburse the developer or owner for the difference in the construction for the required upsizing and/or changes at the agreed upon prices. If the application is approved, and if the developer and/or owner and the Town shall agree, the Town Attorney shall prepare a written contract between the Town and the applicant in accordance with this policy.

- (c) No water main or sewer line may be installed and connected to the Town water or sewer system except after the permit required has been obtained and a written contract approved by the Town and executed by the Town and the applicant. The Town manager shall be authorized to execute any contract provided for herein according to the limits established in the Town's standard bidding procedures. All contracts shall incorporate the substance of the following provisions:
 - (1) Installation of any water main or sewer line, including any required fire hydrants, valves, manholes, sewer lift stations, force mains or collector sewer lines necessary in connection therewith, shall be done by the applicant, if the applicant under the laws of North Carolina is permitted to make such installations, or by a contractor of the applicant licensed by the State of North Carolina to make such installations. Such installations shall be done in accordance with engineering plans, profiles and specifications approved by the Town and a copy of the same shall be endorsed as to such approval for the applicant's use. The applicant shall be responsible, at his own expense, for the preparation of any such required plans, profiles and specifications, for obtaining approval for sewer line and water line extensions from the North Carolina Department of Environmental Quality and/or any other review agencies so designated, and for any other engineering fees in connection with the installation of such utilities.
 - (2) The installation of the utilities shall be subject to the inspection and supervision of the Town during construction, and the connection thereof to the Town water or sewer system shall not be made or maintained until the same shall have been tested under supervision of and the written approval and acceptance of such installation given by the Town. After such approval and acceptance, the Town shall thereafter repair and maintain the same, except the applicant shall be responsible for defects in workmanship or materials or any noncompliance with the plans and specifications that appear within one year after such acceptance.
 - (3) Installation of such utilities shall be done and completed at the sole expense and responsibility of the applicant, free and clear of all claims or encumbrances. Any and all pre-agreed upon reimbursements shall be paid at the completion and acceptance of the work by the Town.

Permitted utilities shall be under construction within 12 months of the approval or contract date. If for any reason substantial progress is not attained within a 12-month period the contract shall become null and void and reapplication may be required.

- (4) The applicant shall, at his expense (including attorney's fees and recording expenses) obtain for or provide to the Town such perpetual rights-of-way or deeds as shall be specified by the Town for the construction, maintenance and operation of such utilities, including any encroachment agreements that may be required from the North Carolina Department of Transportation, railroad, or any other public utility.
- (5) Upon completion of the utilities and the connection thereof to the Town's water and sewer system, the water main or sewer line and any fire hydrants, valves, manholes, sewer lift stations, force mains or collector sewer lines required in connection therewith shall thereupon and thereafter be the entire and sole property of the Town and under the sole and exclusive control of the Town.
- (6) Neither the applicants nor any other person shall be entitled to any service laterals from any water main or sewer line installed by the applicant except upon permission of the Town and the payment of any water meter or any other water or sewer service connection charges therefore as required by the ordinances or regulations of the Town, including, but not limited to, the system development fee.
- (7) If a water main, sewer line, sewer force main or collector line shall be required by the Town in excess of eight inches in size to provide for the expansion of water or sewer service to other properties, then the Town may agree to reimburse the applicant the difference in the cost of the pipe material for any such water main, sewer line, sewer force main or collector line in excess of eight inches in size and the cost of eight-inch pipe for any such water main or sewer line, such difference in cost to be determined by the Town from whatever source deemed appropriate by the Town. However, the Town will not agree to refund any such difference if any such water main or sewer line in excess of eight inches is necessary to serve the property intended to be then served thereby. In addition, if in order to provide for system expansion, the Town determines a pump station should be oversized, the developer shall install the required system. The additional cost associated with the upsizing of the system will be agreed upon between the Town and the developer or owner prior to construction. The Town shall reimburse the developer or owner that agreed upon amount as detailed within this policy. Any such cost differences which the Town agrees to refund shall be due and payable without interest to the applicant in August following the first April after the date on which the utilities to be installed under the contract have been completed, and accepted and approved by the Town.
- (8) The applicant shall agree to indemnify and save harmless the Town from any and all loss, cost, damages, expense and liability (including attorney's fees) caused by accident or occurrence causing bodily injury or property damage arising from the installation of such utilities by the applicant or the contractor of the applicant. The applicant or the contractor of the applicant shall maintain workers' compensation coverage as well as general liability insurance with a contractual coverage endorsement and automobile liability insurance with policy limits of not less than \$1,000,000.00 per occurrence for bodily injury and \$1,000,000.00 for property damage. The applicant will furnish certificates of such insurance to the Town with the provision that the Town will be given 30 days' written notice of any intent to terminate such insurance by either the applicant or the insuring company.
- (9) The contract shall be conditioned on the applicant complying with all zoning and subdivision ordinances and regulations of the Town that are applicable to any properties to be serviced by the utilities, and also any ordinances or regulations of the Town for the operation, control, maintenance and protection of the water and sewer systems of the Town.
- (10) In the event the applicant violates any of the terms of the contract, the Town shall have the right to declare all or any of the rights of the applicant under the contract forfeited, and to remove and disconnect any connections that might have been made to the Town's water or sewer system.

- (d) Without limiting the right of the Town to disapprove for any reason whatsoever the execution of any written contract between an applicant and the Town prepared in accordance with this policy, the Town will not approve any contract for the installation of any water main or sewer line to be connected to and served by its water or sewer system if in the judgment of the board the projected volume of water that would be used by any properties to be serviced thereby would unduly tax the available water supply and/or sewage treatment capacity of the Town, or it would not be financially feasible for the Town to commit itself to such cost.

Before submitting a formal application under this policy an applicant may request from the Board of Aldermen an informal advisory opinion on its willingness to allow such service line extension. Such request shall be filed with the Town, together with such documentation as the Town deems necessary, and the Town shall thereafter bring such request before the Board of Aldermen pursuant to normal agenda procedures. An advisory opinion given by the Board of Aldermen shall not bind the Board of Aldermen to approve an application submitted thereafter or to execute any contract prepared under this policy.

- (e) Whenever offsite water and sewer line extensions are made at the developer's expense, the Town may refund to the developer of the property served by such extension an amount agreed upon and included in the contract prior to construction. The maximum reimbursement amounts will be included in the contract. Reimbursements are to be made by the Town to the developer from budgeted funds in annual payments in August of each calendar year based on certificates of compliance issued by April 1 of the preceding fiscal year and the percentage of development completed in accordance with site plans/subdivision plans approved by the Town.
- (f) Reimbursements under this policy shall be limited as follows:
 - (1) Notwithstanding the provisions of this policy, the developer will be eligible for reimbursements only during the first five years after the contract has been approved.
 - (2) An applicant shall submit a request for reimbursement to the Town manager by April 1 preceding the fiscal year in which he wishes to be paid those reimbursements he is eligible for under the terms of the contract. No reimbursements shall be paid unless the applicant has complied with the above procedure.
 - (3) No reimbursements shall be made until the Town receives and approves the engineer's certification, as-built drawings and dedications or conveyances of necessary easements and rights-of-way. If such drawings, easements and rights-of-way are not received by the Town within 90 days of the tentative approval for acceptance of the water and sewer line extensions by the Town, 20 percent of the eligible refund will be retained by the Town for the preparation of as-built drawings, easements and rights-of-way.

TOWN OF DALLAS, NORTH CAROLINA

REQUEST FOR BOARD ACTION

DESCRIPTION: Purchasing Policy

AGENDA ITEM NO. 3C

MEETING DATE: 1/22/2019

BACKGROUND INFORMATION:

Jonathan Newton, Finance Director, has compiled a comprehensive Purchasing Policy outlining purchasing guidelines for the Town. This policy reflects what has been in practice for many years, but has not been standardized into written form. The policy complies with State regulations and standard practices for local governments.

One modification has been made to the current procedure for travel. Currently, practice has been to allow \$35 per day for meals while traveling. This allowance has been in place for at least the past 20 years. In order to stay current without having to revisit the policy allowances annually, the per day meal allowance will follow the States' General Services Administration guidelines, as outlined in the policy.

This policy is for review before being brought before the Board for final approval and implementation.

MANAGER'S RECOMMENDATION: Review the proposed policy before final adoption.

BOARD ACTION TAKEN:

PURCHASING POLICY



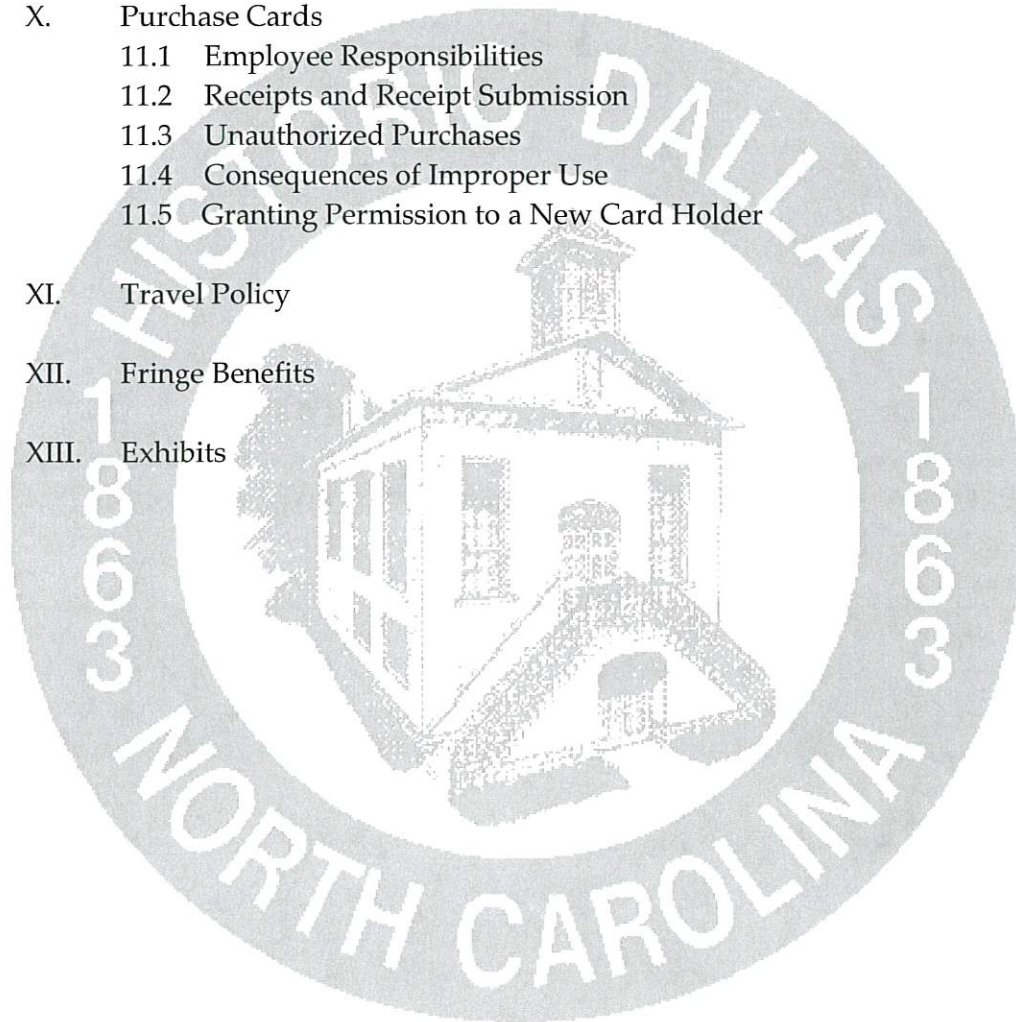
Adopted:

Town of Dallas, North Carolina
Purchasing Policy Manual

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GLOSSARY

Bid: a multi-step process required of the Town by North Carolina General Statutes. Quotes from three separate vendors are required during any bid process unless the good or service to be supplied is produced by only one vendor.

Informal Bid: A bid on items \$30,000.00 and above. Request for quotes are not required to be advertised to the public. Purchases in this category do not need to be approved by the Board of Aldermen.

Formal Bid: A bid on items \$90,000.00 and above or on services \$500,000.00 and above. Public advertisement of the request for quote and bid process must be made, bids must be opened in public forum, and the Board of Aldermen must approve the winning bid.

Quote: a price provided by a vendor on a provided good or service.

Informal Quote: a quote received via verbal communication, email, website, catalog, or fax.

Formal Quote: A written price quote received via U.S. Mail, email, fax, or hand delivery.

Requisition: input into the financial system by a department to request the generation of a purchase order by the Finance Department prior to a purchase.

Purchase Order (PO): authorization for the purchase of goods sent by the Finance Department to a vendor prior to the purchase.

Request for Written Quotation (RFQ): A request sent to a vendor for a written quote on a certain good or service.

Encumbering: to commit a given amount of money to the payment of an order.

Purchasing/ Procurement: interchangeable, how the Town obtains needed goods and services.

Department Head: The individual authorized to make purchasing decisions on behalf of his/ her department.

Vendor: provider of a good or service.

I. FORWARD

This purchasing policy is intended for use as a guide to the Town of Dallas’s purchasing methods and practice. When used properly, the policies and procedures established herein will enable the Town to obtain needed goods and services efficiently and economically. The goal of this policy is to give structure to the Town of Dallas’s procurement methods and to set guidelines for Town departments.

The understanding and cooperation of all employees is essential in order for the Town to maximize the value of each taxpayer dollar spent. While this manual does not answer all procurement related questions, it provides a sound foundation for Town procurement methods.

The goals of the Town's purchasing program are as follows:

1. To comply with legal and ethical requirements of public purchasing and procurement.
2. To assure vendors that impartial and equal treatment is afforded to all who conduct business with the Town.
3. To receive maximum value for money spent by awarding purchase orders to the lowest responsible, responsive bidder, taking into consideration quality, performance, support, delivery schedule, previous performance, business location, and other relevant factors.
4. To provide Town departments the required goods and services in a timely manner in the proper quantity and quality while providing necessary information to the Town Finance Department.
5. To professionally administer the search for sources of supplies, the development of new sources, the selection of suppliers, negotiations, commitments, follow-ups, and adjustments.
6. To promote healthy business relationships through informed and fair purchasing practice and maintenance of ethical standards.
7. To maximize the standardization of products used by all departments in order to minimize stock levels and obtain better prices for necessary goods and services.

If the procedures and guidelines established in this manual are followed, each department will be capable of managing, controlling, and planning available resources to meet present and future needs in order to help the Town meet set goals. Any questions or concerns about this manual or the established procedures should be directed to the Town Finance Department.

This manual is effective immediately following the Board of Aldermen adoption and supersedes all previous purchasing or procurement instructions or directives.

II. GENERAL GUIDELINES

2.1 Local Buying

It is the desire of the Town of Dallas to contract with vendors within the Town and Gaston County whenever possible. The Town has a responsibility to its citizens and local businesses; however, the Town must ensure taxpayer money is spent with prudence. The Town **does not** make purchasing decisions based exclusively on the location of the vendor; however, every effort will be made to encourage qualified local vendors and suppliers to compete for Town business.

2.2 Planning

It is imperative that all Town departments take time to properly plan purchases. Purchasing plans should be made for goods and services to be purchased in both the near and distant future; thereby minimizing small orders and last minute purchases. Planning is of highest importance to the Town because proper planning reduces unnecessary clerical and supervisory time costs associated with the procurement process.

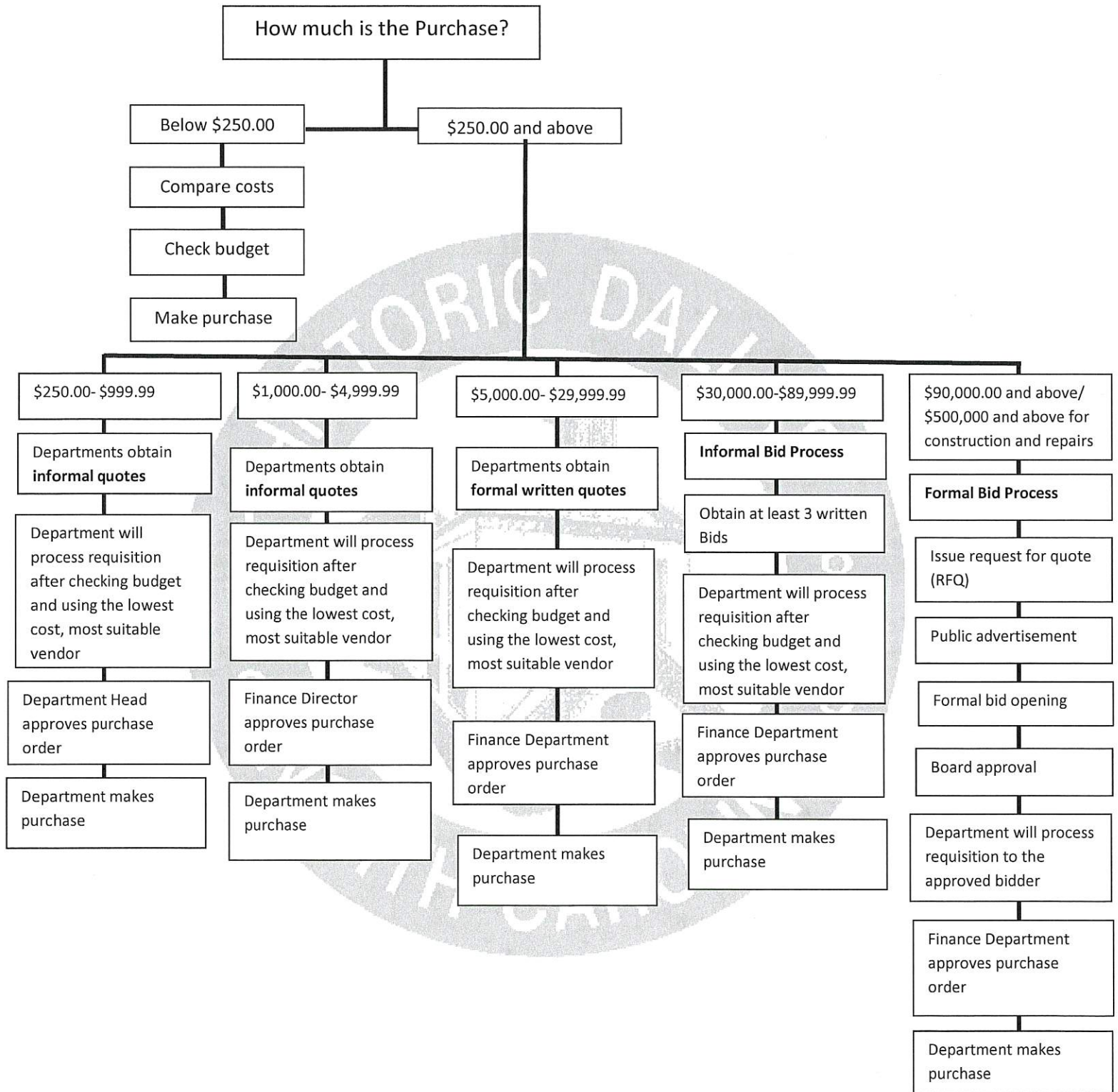
2.3 Buying Proper Quality

Quality and service are as important as price when considering goods for purchase; it is the duty of the requesting department to secure the most cost-effective good or service that will meet, but not exceed the requirements for which the goods or services are intended. In some instances the lowest price does not necessarily mean the lowest cost. A higher price, higher quality product may save the Town from excess expenses in the future. The requesting department should take this into consideration when making a purchase.

2.4 Authorization

Department Heads have been delegated the authority to approve purchases made under \$250.00 without a Purchase Order and can authorize a Purchase Order under \$1,000. Department Heads should only authorize purchases for necessary goods when proper documentation is provided and funds are available to make the purchase. The Department Head or his/her designee must authorize each invoice with signature, date and general ledger account number before forwarding to Finance for payment. This authorization verifies that the goods and/or services have been received, the budgeted funds are available and the invoice has been coded to the proper account number.

PURCHASING FLOW CHART



Further information on dollar thresholds can be found here:
<http://www.sog.unc.edu/sites/www.sog.unc.edu/files/Dollar%20Thresholds%20Chart%202013.pdf>

III. PURCHASING PROCEDURE

3.1 Purchases less than \$250.00

Purchases less than \$250.00 do not require a Requisition or a Purchase Order (PO) and may be made upon the approval of the Department Head. These purchases may be made by utilizing the Town's Purchasing Card process, check requests, or vendor accounts. Please see the Town's specific policy for acceptable P-Card expenses. Every purchase should follow a cost comparison to ensure a competitive price and quality for each good and service purchased. Issues that may override the price comparison process may include delivery time and material specifications.

ALL PURCHASES \$250.00 AND ABOVE REQUIRE A REQUISITION AND PURCHASE ORDER (PO).

3.2 Purchases between \$250.00 and \$999.99

Purchases in this price range may be obtained by the requesting department(s) through an informal quote process. No minimum number of quotes is required however, it is encouraged that every attempt is made to acquire at least three (3) quotes. The informal quotes may be received through verbal communications, email, or fax. Verbal quotes must be noted in typed or hand written form documenting price, date quoted, name of vendor, and name of the individual representative of the vendor. Quotes are to be scanned and submitted with the purchase requisition prior to purchase; after the purchase order is issued and approved by the Department Head, a purchase may be made.

3.3 Purchases between \$1,000.00 and \$4,999.99

Purchases in this price range may be obtained by the requesting department(s) through an informal quote process. No minimum number of quotes is required **(with the exception of vehicle repairs over \$3000 – which will require at least two (2) quotes)** however, it is encouraged that every attempt is made to acquire at least three (3) quotes. The informal quotes may be received through verbal communications, email, or fax. Verbal quotes must be noted in typed or hand-written form documenting price, date quoted, name of vendor, and name of the individual representative of the vendor. Quotes are to be scanned and submitted with the purchase requisition prior to purchase; after the purchase order is issued and approved by the Finance Director/ Town Manager, a purchase may be made.

3.4 Purchases between \$5,000.00 and \$29,999.99

Purchases in this price range are obtained through the formal quote process. In the formal quote process, the requesting department is required to receive at least three (3) quotes via U.S. Mail, email, fax, or hand delivery. The required three written quotes are to be scanned, submitted and/or attached to the purchase requisition prior to purchase; after the purchase order is issued and approved, a purchase may be made.

3.5 Purchases between \$30,000.00 and \$89,999.99

Purchases in this range must be obtained through informal bids. Departments are responsible for sending a request for quote (RFQ) and will allow vendors sufficient time to respond to the request based on the complexity of the request. RFQs in the informal bid range may or may not be advertised to the public. A minimum of three (3) vendors, if available, will receive the RFQ. Every effort will be made to obtain at least three (3) quotes. Quotes in the informal bid range may be submitted through U.S. Mail, email, fax, or hand delivery. No verbal quotes are acceptable in the informal bid price range. Purchases in the informal bid range do not require the Board of Aldermen's approval. In this range, a no bid may be accepted as a bid. In accordance with N.C.G.S. § 143-131, a Request for Written Quotation will be used for purchases of \$30,000 to formal limits (3.2a) with or without advertising. The required three written informal bids are to be scanned and submitted with/ attached to the purchase requisition prior to purchase; after the purchase order is issued and approved, a purchase may be made.

3.6 Purchases \$90,000.00 and above/Services \$500,000.00 and above

Purchases in this range must be obtained through formal bids. Departments are responsible for sending a request for quote (RFQ) and will allow vendors sufficient time to respond to the request based on the complexity of the request. Every effort will be made to obtain at least three (3) bids. A newspaper advertisement must run at least seven (7) days prior to the bid opening. Written bids in this range must be submitted in a sealed envelope and must be opened at a public bid opening. Purchases in the formal range require Board of Aldermen's approval. In accordance with N.C.G.S. § 143-129, invitation for formal bids will be used for purchases of \$90,000 and greater (\$500,000 and greater for construction and repairs). This will include advertising in the local newspaper and/ or other advertising media as deemed appropriate and receiving sealed bids. The supporting documentation and all bids received are to be scanned and submitted with/ attached to the purchase requisition prior to purchase; after the purchase order is issued and approved, a purchase may be made.

IV. VENDOR SELECTION

4.1 Selection Policy

Vendors will be selected on a competitive basis. Formal bids and informal bids will be solicited by the requesting department. Bid awards, purchase orders and/or contracts will be issued to the lowest, responsive, responsible bidder. The Town of Dallas will not use vendors who have been debarred by Federal, State, or Local governments.

4.2 Gifts and Gratuities

Town employees are prohibited from soliciting or accepting any rebate, money, costly entertainment, gift, or gratuity (with the exception of mementos and novelties of nominal value) from any person, company, firm or corporation to which any purchase order or contract is, or might be awarded. The Town will not tolerate circumstances that produce, or reasonably appear to produce, conflicts between the personal interests of an employee and the interests of the Town. Accordingly, the Town may terminate, at no charge to the Town, any purchase order contract if it is found that substantial gifts or gratuities were offered to a Town employee. The Town may

also take disciplinary action, including dismissal, against a Town employee who solicits or accepts gifts or gratuities of any value whatsoever.

IV. SPECIAL PROCUREMENT PROCEDURES

5.1 Blanket Purchase Order

Blanket purchase orders will be issued to selected vendors for the procurement of certain items after competitive pricing has been completed and if budgeted funds are available. Blanket purchase orders are intended to expedite the procurement of frequently needed and repetitious supplies. Blanket purchase orders should be made for goods and services when the amount of clerical or administrative work otherwise involved is impractical. Examples of items procured through a blanket purchase order include: janitorial services, maintenance service contracts, chemicals, temporary personnel services, automotive parts, and others. Blanket purchase orders will encumber the requesting department's funds for any amounts remaining on the purchase order.

Requisition for blanket purchase orders must include all required information along with the following additional information:

1. Time period the purchase order is valid
2. Items covered by the blanket purchase order
3. The Not to Exceed (NTE) amount
4. A listing of all personnel approved to purchase from the blanket purchase order

All vendor delivery tickets must be signed by an authorized Town employee indicating receipt of the goods and/ or services. All delivery tickets from blanket purchase orders must be scanned and forwarded to Accounts Payable as supporting documentation for invoice processing.

5.2 Emergency Purchases

In cases of emergencies, the Department Head or his/her designee may purchase directly from any vendor the supplies or services whose immediate procurement is essential to prevent delays in work which may affect the life, health, safety, or convenience of Town of Dallas employees or citizens.

The user department shall exercise good judgment and use established vendors if possible when making emergency purchases. Always obtain the best possible price and limit purchases to those items emergency related. Not anticipating needs does not constitute an emergency situation. First, determine if a true emergency does exist. Second, anticipate needs and avoid emergency situations whenever possible. Emergency orders are always costly. Vendors usually charge top prices if supplies or services must be obtained on an emergency basis.

During working hours, follow standard purchasing procedure as usual as soon as time and the situation permits.

After working hours, the following procedure should be used for emergency purchases: verify funds are available and if needed complete a Budget Transfer form and forward immediately to the Finance Director. The packing slip or invoice received should be coded with the account(s) to be charged and signed, scan/ attach a brief explanation of the nature of the emergency and forward to Accounts Payable with the invoice. Emergency purchases, although sometimes necessary, are costly both in time and money. The use of emergency procedures should be limited and will be monitored for abuse.

5.3 Sole Source of Supply

In the event there is only one vendor capable of providing a particular good or service, the competitive pricing procedures outlined in this manual may be waived by the Finance Department. Whenever a Department Head decides to purchase goods from a sole source, he/she shall document on the requisition why only one company or individual is capable of providing the goods required. The provisions of N.C.G.S. § 143-129 will be followed requiring Council approval for sole source exception for all purchases made at or above statute levels.

5.4 Single Brand Convenience

The Town recognizes in certain scenarios it is efficient to purchase items from a single provider rather than a variety of vendors. In such cases exceptions may be made to standard purchasing procedure; given proper documentation is provided. The purchaser should note reasons buying from a certain vendor will be more efficient in the long run and attach such documentation to each requisition.

Example: One brand of printer Town-wide would allow the same type of ink cartridge to be ordered and reduces time cost related to finding multiple brands. This also allows the Town to buy ink cartridges in bulk from a single provider, further reducing cost.

5.5 State of North Carolina Purchase Contract

All Departments may use the State of North Carolina Department of Administration Purchase and Contract Division whenever possible for procurement of capital and non-capital items. It shall be the responsibility of Department Heads to familiarize themselves with this purchasing method and to check for needed goods and services which are available through this resource at a lower cost than many other vendors offer. This system expedites the purchase of goods, offers pricing compatible with quotes received from formal and informal bids, and satisfies North Carolina General Statutes. Examples of goods on State Contract are: law enforcement vehicles, office furniture, copiers, janitorial supplies, copier paper, light bulbs, etc. Contact the Finance Department with questions regarding goods on State Contract.

The State of North Carolina Interactive Purchasing System can be found on the web at www.ips.state.nc.us/ips/Default.aspx.

The North Carolina E-Procurement System can be found on the web at <http://eprocurement.nc.gov/>

5.6 Piggybacking

The Department Head may use the piggybacking process whenever necessary to purchase apparatus, supplies, materials, and equipment. Contracts in the informal range can be used as a tool to solicit additional bids, but no Board action is necessary. For purchases of \$90,000 and above, the provisions of N.C.G.S. § 143-129 will be followed.

5.7 Professional Services

Normal competitive procedures are difficult to use in securing professional services such as attorneys, planners, and other professionals who, in keeping with the standards of their discipline, will not enter into a competitive bidding process. When an agreement between a professional service company and the Town is established, a purchase order with the proposed amount shall be issued to satisfy accounting and statutory requirements. Purchases from professionals shall otherwise follow N.C.G.S. § 143-64.31 and 64.32.

5.8 Service Contracts

The Town is currently working on creating a contract for all vendors that provide a service to the Town. This includes vendors who may set up and/or be on Town property while performing their service. This is to cover the Town from any legality that may occur. Once the contract has been written following the general statutes and approved by the Town's attorney, it will be inserted into the Purchasing Policy.

5.9 Vendors with Town Accounts

The Town should have accounts with certain vendors, where possible, in order to expedite the purchasing process for frequently needed minor items. In the event the Town has an account with a certain vendor, Town employees should not use purchase cards to obtain goods or services from the vendor. Proper purchasing procedures should be followed and only authorized purchases should be charged to Town accounts.

VI. DELIVERY AND PERFORMANCE

A completed and accepted purchase order by the parties concerned must produce the intended results or objectives before it can be considered a successful or completed purchase. The terms and conditions must clearly define the delivery and performance requirements of the services, supplies, or equipment.

The importance of the delivery schedule will be emphasized to the vendor. Delivery requirements will be clearly written and fully understood by all vendors. If several items are required by the purchase order, there may be a different delivery schedule for each item. It is necessary to clearly indicate the delivery location on the requisition.

6.1 Partial Deliveries

Some purchase orders may list several items. It is possible the vendor may complete timely delivery on some items, which is referred to as "partial delivery". Upon receipt of a partial delivery, photocopy the purchase order; attach a copy of the signed delivery receipt and forward to the Finance Department along with the vendor invoice indicating which lines of the purchase order are to be paid.

6.2 Non-Performance

If a vendor fails to meet any requirements(s) of the specifications or terms and conditions of the contract or purchase order, the vendor can be cited for non-performance. The seriousness of non-performance will be evaluated based upon the circumstances of each violation.

VII. INSPECTION AND TESTING

Life and safety as well as successful operation of expensive equipment and supplies may depend upon how well a purchased item meets design and performance specifications.

Goods and materials should be checked at the time of receipt for damage or defects. The inspection shall include assuring goods comply with the specifications. If damage is found, or the goods fail to comply with the specifications, the item(s) shall be rejected as outlined below.

7.1 Rejection

In order to protect the Town's rights in the event of rejection, for whatever reason, the vendor shall be informed immediately. Reasons for the rejection must be documented in memo form, attached to a copy of the purchase order and forwarded to the Finance Department in a timely manner.

7.2 Damaged Goods

One of the major reasons for immediately inspecting the goods or materials upon receipt is to detect any visible damage. It is necessary that all damage including evidence of concealed damage shall be documented by memo, attached to a copy of the purchase order, forwarded to the Finance Department, reported to the vendor as soon as possible, and inform the vendor of the damaged goods. When it is apparent that the extent of the damage causes the goods to be worthless, they will not be accepted.

7.3 Latent Defects

Latent defects may be the result of damage in transit or failure of the manufacturer to conform to specifications. Consequently, it is often difficult to fix responsibility for the defective material. If specific liability for the defect cannot be determined between the carrier, the vendor, or the manufacturer, the Town may file a claim against all parties. A memo attached to a copy of the purchase order must be forwarded to the Finance Department.

VIII. VENDOR RELATIONS

Good vendor relations are valuable business assets established through mutual confidence and satisfactory business communication between buyer and seller. An important contribution toward promoting and preserving these relations is a clear understanding of the method of contract between buyer and seller. Any conflicts which may arise should be reported to the Finance Department.

IX. SALE OF TOWN PROPERTY

The Town Manager has been authorized by the Dallas Board of Aldermen to declare as surplus a single asset or property or a group of items with a value of up to \$30,000.00, to set its fair market value, and to convey title to the property and to advertise electronically the sale of any personal property. The Town Manager shall sign the Sale of Property Authorization form **prior** to the sale or disposal of any Town property. The Finance Department shall keep all approved forms, which will record a description of the property sold or exchanged, and the amount of money or other considerations received for each sale or exchange. N.C.G.S. § 160A-265 through 280 should be referenced before the sale of any Town property in order to ensure statutes and procedure are followed properly.

For a Sale of property, a Sale of Property Authorization form must be signed and submitted, see Exhibit D.

X. PURCHASE CARDS

Purchase cards exist to provide departments a flexible and efficient way to make purchases. Purchase cards empower the cardholder to acquire necessary materials to conduct business and/or deliver services in a more convenient and expeditious manner. Purchase cards should not be used to procure items or services not directly related to Town business. Purchase cards cannot be used to purchase fuel for Town vehicles, unless the employee is out of town on work related business.

11.1 Employee Responsibilities

No purchase over \$250.00 shall be made using the purchase card system without a purchase order. Purchase cards assigned to employees may have approval limits set by Department Heads below the \$250.00 policy threshold. If an employee needs to make a purchase above the limit set by the Department Head, the employee should consult with the Department Head before making a transaction.

1. The purchase card that each cardholder receives shall only be used by the cardholder. No other person is authorized to use this card. The cardholder may make transactions on behalf of others in their department/ division; however, the cardholder is responsible for all purchases charged to their card.
2. The total value of a transaction shall not exceed a cardholder's single purchase limit. Payment for a purchase shall not be split into multiple transactions to stay within the single purchase limit.
3. The cardholder is responsible for maintaining receipts of all card transactions and attaching them in order to that cardholder's credit card statement. Once all receipts are attached to the statement, it should be turned into Finance. Receipts are required for all purchases. Failure to turn in receipts in a timely manner may result in the cardholder losing the privilege of using a Town purchasing card.
4. Purchase cards may be used by for lodging, fuel and meals when away from the Town on work related business, (please refer to the Town's travel policy). Cardholders should consult the Town's Travel Policy for more information. If an employee who is traveling does not have a Town issued purchasing card, they will be reimbursed through Accounts Payable only if, all receipts are turned in and meet the Town's Travel Policy requirements.

11.2 Receipts and Receipt Submission

Receipts should be collected and kept for all transactions. If a detailed receipt is not obtained from the vendor, a Lost/ Missing Receipt Form and a detailed list of what was purchased will be required with the receipt. Repeated lost or missing receipts may result in a cardholder losing the privilege associated with a Town purchasing card. A detailed receipt should be provided for all purchases.

11.3 Unauthorized Purchases

Certain items should not be purchased by Town employees. Any of the following items listed below have been deemed inappropriate for purchase by Town employees:

1. Personal purchases or for personal identification
2. A single purchase that exceeds the cardholder's single purchase limit
3. Cash advances
4. Gift Cards (Without Town Manager Prior Approval)
5. Alcoholic beverages
6. Purchase of in-room movies during a hotel/ motel stay while on Town business

11.4 Consequences of Improper Use

A cardholder who makes unauthorized purchases or carelessly uses a purchase card will be liable to the Town of Dallas for the total dollar amount of such purchases plus any administrative fees charged by the bank or card company in connection with the misuse. The cardholder's employment may also be terminated and will be subject to legal action.

Cardholders are expected to obtain the best prices available on purchases. Purchase of an item above market prices where the vendor gives the employee any form of gift, bonus, or premium

whether in the form of cash or merchandise is considered a kickback, is illegal, and can result in disciplinary action up to and including termination of employment and lawful prosecution. Town policy strictly forbids anything in exchange for making a purchase.

11.5 Granting Permission to a New Card Holder

Any individual employee whom a Department Head feels needs a Town issued Purchasing Card should fill out a Purchasing Card Authorization Form. (Exhibit B)

XI. TRAVEL POLICY

The Town of Dallas' Travel policy for meals will follow the General Services Administration (GSA) to account for monies received during travel. This includes meals when an employee is away from work for a 24-hour period or more. Ex., a three-day conference to UNC School of Government. This does not apply if you are not staying overnight away from work, ex., a day trip to Charlotte for a seminar. Following the federal meal rates, employees are allotted the below amount according to the primary destination. Town employees are able to spend up to the required amount. Anything over the stand amount, the employee will not be reimbursed. If total receipts are under the standard amount, the employee will only be reimbursed up to the total amount spent. After returning to work, paperwork must be turned into the Finance Director for reimbursement. The required paperwork to turn in will be: Meal Reimbursement form, receipts from purchases of meals, and an agenda of the course/class/seminar. Exhibit E shows the current GSA table.

You may also find the information at the link below (please note the Town does not include the \$5.00 incidental expense)

<https://www.gsa.gov/travel/plan-book/per-diem-rates>

XII. FRINGE BENEFITS

Any item purchased for an employee must be a valid business expense and not considered wages to the individual. Clothing, non-monetary awards, meals, travel, and other items may be considered wages depending on circumstances. Awards of cash or cash equivalents are always considered wages regardless of the amount awarded. All awards and purchases considered wages to an employee must be processed through payroll and will be subject to all applicable taxes. Please contact the Finance Department with any questions.

Any award of cash or cash equivalents must be pre-approved by the Town Manager.

XIII. EXHIBITS

- Exhibit A. Items Not Requiring a Purchase Order
- Exhibit B. New Credit Card authorization for employee
- Exhibit C. Purchase Order/ Quote Form
- Exhibit D. Sale of Town Property Authorization
- Exhibit E. GSA Table for Travel



EXHIBIT A

Items Not Requiring a Purchase Order

1. Claim payments (Citizens filing for damages/ reimbursement)
2. Insurance
3. Medical examinations
4. Refunds
5. Utilities (electricity, water, sewer, cable, internet, natural gas, trash, etc.)



BB&T Purchasing Card Authorization Form

I _____ (department head) would like to authorize

_____ (employee) in the _____ department a Town of

Dallas Credit Card through Branch Banking & Trust. This employee agrees to follow all Purchasing rules

and policies listed in the Town of Dallas purchasing policy while using the Purchasing Card.

*Credit Limit \$ _____ .00

*Finance Director and Town Manager have the authority to set the credit limit at their discretion.

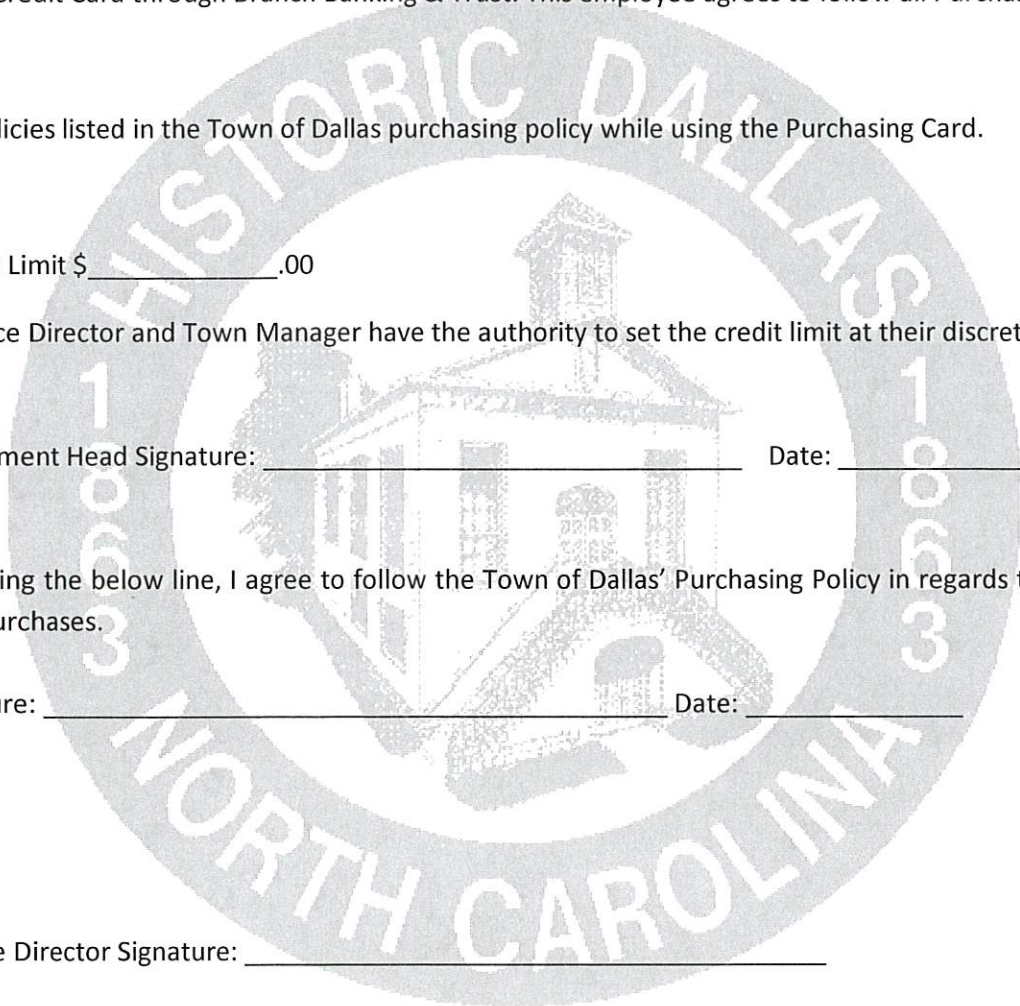
Department Head Signature: _____ Date: _____

By signing the below line, I agree to follow the Town of Dallas' Purchasing Policy in regards to all Credit Card Purchases.

Signature: _____ Date: _____

Finance Director Signature: _____

Date Completed: _____



Town of Dallas

PURCHASE ORDER/QUOTE FORM

EXHIBIT C

Employee Name:	Department:
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DATE QUOTES OBTAINED:	DATE GOODS ARE REQUIRED:	<input type="checkbox"/> DEPT WILL PICK UP
		<input type="checkbox"/> EMERGENCY ORDER

	VENDOR 1 NAME	VENDOR 2 NAME:	VENDOR 3 NAME:
VENDOR #:			
CONTACT:			
PHONE #:			
TOTAL QUOTE:			

ACCOUNT #	QTY	ITEM DESCRIPTION	UNIT	TOTAL

REASON(S) QUOTES NOT OBTAINED /EXPLANATION OF SOLE SOURCE OR EMERGENCY:

Town of Dallas

SALE OF TOWN PROPERTY AUTHORIZATION

EXHIBIT D

The Department Head is required to obtain authorization from the Town Manager **prior** to the sale or disposal of any Town Property, regardless of value. Include any additional relevant information necessary. Please attach a photo of the item sold if available.

Complete the table below prior to the disposal of property:

PROPERTY SOLD		SALE PROCEEDS ESTIMATE	
PROPERTY CONDITION		DEPT/BUDGET WHICH MADE THE ORIGINAL PURCHASE	
YEAR		VIN/ SERIAL #	
MILEAGE		LICENSE PLATE #	
MAKE		MODEL	

Other description, notes:

Department Head Signature: _____ Date: ____/____/____

Town Manager Signature: _____ Date: ____/____/____

Complete the table below after the disposal of property:

NAME OF INDIVIDUAL OR BUSINESS THAT PROPERTY WAS SOLD TO:		DATE PAYMENT RECEIVED BY TOWN	
ADDRESS OF PURCHASER		SALE PROCEEDS	\$
SIGNATURE OF EMPLOYEE			

This completed/ signed and authorized form must be submitted to the Finance Department along with the proceeds of any sale of property. If an item is scrapped or disposed of with no proceeds this completed/ signed and authorized form must be submitted to the Finance Department within 5 days of the disposition of property.

EXHIBIT E

GSA Meal Allowance Table for Travel

Primary Destination	County	Meal Total \$
Standard Rate	Applies for all locations without specified rates	\$50.00
Asheville	Buncombe	\$51.00
Atlantic Beach/Morehead City	Carteret	\$56.00
Chapel Hill	Orange	\$61.00
Charlotte	Mecklenburg	\$51.00
Durham	Durham	\$56.00
Fayetteville	Cumberland	\$51.00
Greensboro	Guilford	\$51.00
Kill Devil Hills	Dare	\$61.00
Raleigh	Wake	\$51.00
Wilmington	New Hanover	\$56.00

(Per day)



TOWN OF DALLAS, NORTH CAROLINA

REQUEST FOR BOARD ACTION

DESCRIPTION: ADA Transition Plan

AGENDA ITEM NO. 3D

MEETING DATE: 1/22/2019

BACKGROUND INFORMATION:

Through notification received from the NC Department of Transportation (NCDOT), the Town has been made aware that we must conduct a self-evaluation and develop a plan addressing our compliance with the Americans with Disabilities Act (ADA). This is required if we are to be eligible to receive any Federal funding, either through NCDOT or any other source.

Essentially, the self-evaluation is intended to identify any barriers in programs and activities that prevent access to person with disabilities. This includes not only evaluating our facilities in which public activities are held, but also includes looking at our policies and practices for providing access to programs. In addition to the self-evaluation, we must also develop an ADA Transition Plan that lists all the barriers identified, specifies actions to be taken to modify facilities and/or programs to ensure accessibility, and establishes a schedule for carrying out those modifications. There are three primary categories addressed by the self-evaluation and transition plan:

- * Communications, Information, and Facility Signage
- * Building Facilities and Related Parking Lots
- * Pedestrian Facilities and Public Rights-of-Way

Staff has begun the self-evaluation process, using a standard ADA checklist that has been developed for these efforts. We are in the early stages of this process, which will continue over the coming months. We are also beginning to draft the Transition Plan so that the plan framework will be in place by the time we complete the self-evaluation. We will then work on a schedule for improvements to be made both through the annual budget process for short-term implementation actions and through a capital improvement program for long-term implementation actions.

Other initial actions that must be taken are to adopt and make public a statement of the Town's obligations under the ADA and a grievance procedure to be made available for anyone wishing to file a discrimination complaint on the basis of accessibility. Initial drafts of these documents are attached for initial review.

MANAGER'S RECOMMENDATION: Review the proposed statement of obligations and grievance policy to suggest revisions, if any, before final adoption.

BOARD ACTION TAKEN:

TOWN OF DALLAS

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 (ADA), the Town of Dallas will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities.

Employment: The Town of Dallas does not discriminate on the basis of disability in its hiring or employment practices and complies with all regulations promulgated by the U.S. Equal Employment Opportunity Commission under Title I of the ADA.

Effective Communication: The Town of Dallas will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in the Town of Dallas' programs, services, and activities, including qualified sign language interpreters, documents in Braille, and other ways of making information and communication accessible to people who have speech, hearing, or vision impairments.

Modifications to Policies and Procedures: The Town of Dallas will make all reasonable modifications to policies and procedures to ensure that people with disabilities have an equal opportunity to enjoy all of its programs, services, and activities. For example, individuals with service animals are welcomed in Town offices, even where pets are generally prohibited.

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a Town program, service, or activity, should contact the office of _____, ADA Coordinator, as soon as possible but no later than 48 hours before the scheduled event. _____ Contact information is as follows: _____.

The ADA does not require the Town of Dallas to take any action that would fundamentally alter the nature of its programs or services, or impose an undue financial or administrative burden.

Complaints that a program, service, or activity of the Town of Dallas is not accessible to persons with disabilities should be directed to _____, ADA Coordinator.

The Town of Dallas will not place a surcharge on a particular individual with a disability or any group of individuals with disabilities to cover the cost of providing auxiliary aids/services or reasonable modifications of policy, such as retrieving items from locations that are open to the public but are not accessible to persons who use wheelchairs.

TOWN OF DALLAS

GRIEVANCE PROCEDURE UNDER THE AMERICANS WITH DISABILITIES ACT

This Grievance Procedure is established to meet the requirements of the Americans with Disabilities Act of 1990 (ADA). It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provision of services, activities, programs, or benefits by the Town of Dallas. The Town of Dallas' Personnel Policy governs employment-related complaints of disability discrimination.

The complaint should be in writing and contain information about the alleged discrimination such as name, address, phone number of complainant and location, date, and description of the problem. Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint will be made available for persons with disabilities upon request.

The complaint should be submitted by the grievant and/or his/her designee as soon as possible but no later than 60 days after the alleged violation to:

ADA Coordinator
Town of Dallas
210 N. Holland Street
Dallas, NC 28034
704-922-3176

Within 15 calendar days after receipt of the complaint, the ADA Coordinator or his/her designee will meet with the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the meeting, the ADA Coordinator or his/her designee will respond in writing, and where appropriate, in a format accessible to the complainant, such as large print, Braille, or audio tape. The response will explain the position of the Town of Dallas and offer options for substantive resolution of the complaint.

If the response by the ADA Coordinator or his/her designee does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision within 15 calendar days after receipt of the response to the Town Manager or his/her designee.

Within 15 calendar days after receipt of the appeal, the Town Manager or his/her designee will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the Town Manager or his/her designee will respond in writing and, where appropriate, in a format accessible to the complainant with a final resolution of the complaint.

All written appeals received by the ADA Coordinator or his/her designee, appeals to the Town Manager or his/her designee, and responses from these two offices will be retained by the Town of Dallas for three years.