SCOPE

Pursuant to RSMo §§321.220(6) and 321.600(6), the District has the power to acquire, construct, purchase, maintain, and encumber real and personal property, fire stations, fire protection, and fire-fighting apparatus and auxiliary equipment.

PURPOSE

To purpose of this policy is for the District to obtain the most cost-effective value for public monies spent consistent with legal requirements for public purchasing.

To ensure the District and District personnel comply with specific purchasing policies to protect the expenditure of District funds.

POLICY

Pursuant to RSMo §321.010.1, it is the policy of the District that all District purchases or contracts for services shall be only for the purposes of supplying protection to persons and property against injuries and damage from fire and from hazards which do or may cause fire and empower the District to render first aid for the purpose of saving lives and to give assistance in the event of an accident or emergency of any kind.

It is the policy of the District that all District purchases or contracts for services shall be fully competitive.

Pursuant to RSMo §432.070, it is the policy of the District that no one shall enter into any contract or agreement, unless the contract, including pricing and costs, is in writing; signed and dated in advance by all parties or their agents, who must be authorized by law and duly appointed and authorized in writing.

Pursuant to RSMo §290.220, it is the policy of the District that a wage of no less than the prevailing hourly rate of wages for work of a similar character in County or Counties shall be paid as required to all workers employed by or on behalf of the Board of Directors engaged in public works

Pursuant to RSMo §67.080, it shall be the policy of the District that purchases or service contracts are allowed only if the expenditure or service contract does not cause the budget to be exceeded.

It is the policy of the District that any purchase or service contract, whose payment would cause the budget to be exceeded, must be approved in advance by the Board of Directors.

For the efficient and effective operation of the District, it is the policy of the District that authorized purchasers may spend up to the Board's spending limits for purchases or service contracts without prior Board approval or preauthorization as long as no expenditure or service contract would cause the budget to be exceeded.

Pursuant to RSMo §107.170, it is the policy and duty of the District, in making contracts for public works, the cost of which is estimated to exceed fifty thousand dollars ($50,000), to require every contractor for such work to furnish to the District, a payment bond for the payment of materials for construction of such work, insurance premiums for said work, and for labor performed in such work.

It is the policy of the District, in making service contracts, to require every contractor with less than five (5) employees to furnish to the District, a certificate of workers compensation insurance for any service work done by such contractor on District premises;

Pursuant to RSMo §34.074.3, in letting contracts for the performance of any job or service, it shall be the policy of the District to give increased preference to service-disabled veteran businesses doing business as Missouri firms, corporations, or individuals, or which maintain Missouri offices or places of business.

Pursuant to RSMo §34.165.1, in making purchases not exceeding ten million dollars ($10,000,000) for the District, it shall be the policy of the District to give an increased bidding preference for products and services manufactured, produced or assembled in qualified nonprofit organizations for the blind and in certified, approved sheltered workshops if the participating nonprofit organization provides at least two percent (2%) or five thousand dollars ($5,000) of the total contract value of bids.

Pursuant to RSMo §34.073.1, in letting contracts for the performance of any job or service, it shall be the policy of the District to give preference to all firms, corporations, or individuals doing business as Missouri firms, corporations, or individuals, or which maintain Missouri offices or places of business, when the quality of performance promised is equal or better and the price quoted is the same or less.

Pursuant to RSMo §8.280, it shall be the policy of the District to purchase and use only the products of the mines, forests, and quarries of the state of Missouri, when the products are found in marketable quantities in the state, and all materials contracted for shall be of the best quality, and preference shall be given to Missouri materials and labor where same are of a suitable character and can be obtained at reasonable market prices.

Pursuant to RSMo §34.353, it is the policy of the District to encourage the purchase of products manufactured or produced in the United States of America.

RESPONSIBILITY

It is the responsibility of the **Board of Directors** to approve purchases or service contracts when the expenditure or service contract would cause the budget to be exceeded.

To ensure that all the basic considerations relevant to purchasing and service contract agreements are covered, it is the responsibility of the:

> **District Manager** to ensure standard District terms and conditions are available to be included on requests for bids, quotations, and purchase orders; and
>
> **Authorized purchasers** to ensure standard District terms and conditions are included on requests for bids, quotations, and purchase orders.

It is the responsibility of all **District employees** to obtain the most cost-effective value for public monies spent consistent with legal requirements for public purchasing

DEFINITIONS

Authorized purchaser—A District employee that is approved by this policy to procure goods or service contracts for the District; specifically, the Treasurer, District Manager, Personnel Officer, Secretary, and Custodian of Records are authorized purchasers.

Bidder—an individual, partnership, firm, or corporation that offers to become a vendor; also known as offeror.

Life cycle cost—the expected total cost of ownership during the life of a product.

Professional Services—unique, technical and/or infrequent functions performed by an independent contractor qualified by education, experience, and/or technical ability to provide services that are usually of a specific project nature, predominately intellectual in character, and not on-going. Examples include accountants; physicians; planning consultants; insurance advisors and brokers; landscape designers; etc. RSMo §8.285-291 specifically lists architects, engineers, and land surveyors. RSMo §§321.220(4) and 321.600(4) specifically lists attorneys and engineers

Professional Service Contracts–are agreements for professional service with individuals, partnerships, firms, or corporations.

RSMo—Revised Statutes of Missouri.

Vendor—a supplier, contractor, or consultant, as an individual, partnership, firm, or corporation, providing goods and/or services to the District.

GENERAL PURCHASING PRACTICES

1. Any purchase or service contract which is expected to be less than five hundred dollars ($500), shall be:

    a. Based, whenever possible, on at least three (3) price comparisons;

    b. Purchased from the lowest and best value for money; and

    c. Approved by an authorized purchaser by receipt, invoice, or statement, in an e-mail or signed memo, or by a signed *Purchase Order Form 824-1*.

    d. The District's authorized purchasers are anyone with a purchase card, anyone authorized to charge on a merchant's charge account, the District President, District Treasurer, District Manager, Chief, Facility Manager, Personnel Officer, Custodian of Records, and Public Information Officer.

2. Any purchase or service contract which is expected to exceed five hundred one dollars ($501) but less than two thousand five hundred dollars ($2,500), shall be:

    a. Based, whenever possible, on at least three (3) competitive quotations that are confirmed in writing, but may be obtained verbally;

    b. Purchased from the lowest and best value for money; and

c. Approved by the Board of Directors by motion, resolution, or *Purchase Order Form 824-1*.

3. Any purchase or service contract which is expected to exceed five hundred one dollars ($501), standard District terms and conditions shall be included on requests for bids, quotations, and purchase orders.

4. Any purchase or service contract which is expected to exceed two thousand five hundred one dollars ($2,501) but less than ten thousand dollars ($10,000), shall be:

   a. Based,on at least three (3) competitive written quotations;

   b. Purchased from the lowest and best value for money; and

   c. Approved by the Board of Directors by motion, resolution, or *Purchase Order Form 824-1*.

5. As required by RSMo §285.530, any purchase or service contract which is expected to exceed five thousand dollars ($5,000) shall require the vendor to annually submit affidavits and documentation affirming that the vendor is enrolled and is participating in a federal work authorization program such as E-Verify, and that the vendor does not knowingly employ unauthorized aliens in connection with the contracted services.

6. As required by RSMo §34.076.1, any contract for any public works or product, which is bid and is expected to exceed five thousand dollars ($5,000) wherein part of or all funds are not furnished by the United States shall require a contractor or bidder domiciled outside the boundaries of the state of Missouri, to be successful, to submit:

   a. A bid the same percent less than the lowest bid submitted by a responsible contractor or bidder domiciled in Missouri as would be required for such a Missouri domiciled contractor or bidder to succeed over the bidding contractor or bidder domiciled outside Missouri on a like contract or bid being let in the person's domiciliary state; and

   b. An audited financial statement as would be required of a Missouri domiciled contractor or bidder on a like contract or bid being let in the domiciliary state of that contractor or bidder.

7. As required by §§321.220(6) and 321.600(6), any service contract or construction or purchase contracts for work or material or both which is expected to exceed ten thousand dollars ($10,000) or more:

    a. Shall be published:

        i. In an issue of a newspaper of general circulation in the District, a notice inviting bids;

        ii. At least thirty (30) days prior to date set for the receipt of the bids, unless otherwise specified by resolution of the Board of Directors;

        iii. With a general description included of the construction, goods, or materials to be purchased or services to be performed;

        iv. With the time and place for submitting sealed bids; and

        v. With compliance with applicable Missouri statutes required.

    b. May also have invitation to bid notices mailed, on the same day of notice of bid is published, to prospective bidders.

    c. Award shall be:

        i. Based, whenever possible, on at least three (3) sealed bids received in a timely manner and opened and read aloud at a Board of Directors meeting or at a public opening where at least one Director is present;

        ii. Based on the lowest and best value for money; and

        iii. Approved by the Board of Directors by motion, resolution, or *Purchase Order Form 824-1*.

8. As required by RSMo §34.353(1), the purchase of manufactured goods or commodities used or supplied for construction, alteration, repair, or maintenance of any public works which is more than twenty-five thousand dollars ($25,000) shall be manufactured or produced in the United States of America.

9. To avoid double taxation, purchases or service contracts shall be exempt from Missouri sales and use taxes and federal excise taxes:

    a. The State of Missouri fleet fuel program shall be used to exempt the18.3¢ per gallon of gasoline and 24.3¢ per gallon of diesel federal fuel excise taxes at the point-of-sale;

    b. The Treasurer shall ensure District employees have documentation of the District's tax exemption status (see https://www.tightwadfpd.org/files/7adf46587/TwightwadFPDSalesTaxExempt20020711.pdf); and

    c. The Treasurer shall ensure the District's tax exemption status is known to telecommunications companies, utility companies, and national retail chain stores, e.g., Home Depot, Office Depot, etc.

EXCEPTION PRACTICES

1. Lawful exceptions may be approved by the Board, ratified by the Board, or when commodities or certain services are available:

    a. Other purchases or contracts for services, which by their nature, may be impossible to competitively award, are exempt as follows:

        i. Professional services, including, but not limited to accountants, architects, engineers, land surveyors, attorneys, physicians, or other services requiring expert or specialized knowledge or skill, e.g., planning consultants; insurance advisors and brokers; landscape architects; designers; etc.;

        ii. A product or service which the District is eligible to purchase through another entity's bid, e.g., state purchasing contracts, or another entity's cooperative purchase pricing or rates, Mid-America Regional Council Emergency Response (MARCER);

        iii. A commodity or service which, by its very nature, is available from only one source; and

        iv. A commodity or service which the District has standardized for use and there is only one source for such commodity or service.

b. In case of an emergency which requires immediate purchases of goods or services for continued essential operations of the District and when time is of the essence, authorized purchasers may purchase or commandeer essential goods or services without competitive purchasing; however, a written memo of the circumstances necessitating an emergency purchase shall be provided to the Board of Directors within one (1) week of the purchase so that the Board of Directors are able to ratify the purchase at a subsequent meeting of the Board of Directors.

2. As allowed by RSMo §34.353, the purchase of manufactured goods or commodities used or supplied for construction, alteration, repair, or maintenance of any public works which is more than twenty-five thousand dollars ($25,000) shall not be required to be manufactured or produced in the United States of America when the District certifies:

   a. Only one line of a particular good or product is manufactured in the United States of America;

   b. The specified products are not manufactured or produced in the United States of America in sufficient quantities to meet the requirements;

   c. The specified products cannot be manufactured or produced in the United States within the necessary time in sufficient quantities to meet requirements; and

   d. Obtaining the specified products manufactured or produced in the United States would increase the cost by more than ten percent (10%).

3. As allowed by RSMo 8.280, the purchase and use of the products of the mines, forests, and quarries of the state of Missouri shall not be required when the Missouri products or materials are not:

   a. Found in marketable quantities in the state;

   b. The best quality;

   c. The same suitable character; or

   d. Obtainable at reasonable market prices.

4. As allowed by RSMo §34.073.4(2), increased preference to service-disabled veteran businesses doing business as Missouri firms, corporations, or individuals, or which maintain Missouri offices or places of business in letting contracts for the performance of any job or service is not required when no or an insufficient number of such veterans doing business in this state submit a bid or proposal for a contract.

5. As required by RSMo §34.600, the District cannot do business with a company to acquire or dispose of services, supplies, information technology, or construction unless the purchase contract includes a written certification that the company is not currently engaged in and shall not, for the duration of the purchase contract, engage in a boycott of goods or services from the State of Israel; companies doing business in or with Israel or authorized by, licensed by, or organized under the laws of the State of Israel; or persons or entities doing business in the State of Israel, unless the purchase contracts has a total potential value of less than one hundred thousand dollars ($100,000.00) or to contractors with fewer than ten (10) employees.

PROFESSIONAL SERVICE CONTRACT PRACTICES

1. Professional service consultants shall be selected based upon their demonstrated qualifications.

2. A project scope must be defined before the selection process for any professional service contracts.

3. The criteria to be used to judge the qualifications of the consultant shall include:

    a. Specialized experience and technical competence with respect to the type of services required;

    b. Capacity and capability to perform the work in question, including specialized services, within the time limitations fixed for the completion of the project;

    c. Past record of performance with respect to such factors as control of costs, quality of work, and ability to meet schedules; and

    d. Proximity to and familiarity with the area.

4. Upon selection as the best qualified consultant, the District will negotiate with the selected consultant based upon an agreed scope of work.

5. Should negotiations be unsuccessful with the selected consultant, negotiations will be terminated and then the District shall then start negotiations with the second most qualified firm selected for the project. Should those negotiations also fail to reach an acceptable agreement, the negotiations shall be terminated and the process started with the District's third highest rated consultant for the project.

6. Once negotiations are terminated, no further negotiations for the project will be allowed. Should negotiations fail with the top three selected consultants for the project, the selection process shall be re-evaluated with respect to the necessary services needed for the project including a review of the scope of desired work or services. Once the re-evaluation is complete, the District shall again go through the process of determining the best consultants for the project and start the negotiating process again.

PROCUREMENT OF SERVICE CONTRACT PRACTICES

1. The following steps should be followed when procuring services:

    a. Determine a service to be potentially necessary;

    b. Secure proper authorization to obtain pricing, quotations, or bids depending on expected costs and available budget;

    c. Find pricing or quotations or receive bids;

    d. Review the service contract for:

        i. Legal sufficiency, including terms and conditions;

        ii. Sufficient statement of work, especially contractor performance; and

        iii. Identification of potential business, financial, or political risks;

    e. Receive proper approval for the service contract, including budget amendments if necessary;

f. Implement service contract to receive services using established processes for check requests, reimbursement, charge accounts, or open invoice accounts, or purchase card purchases;

g. Monitor the service contract by:

i. Review contractor performance at appropriate intervals; and

ii. Ensure compliance with contract terms and conditions, including performance satisfaction;

h. If received service has not been paid for, arrange for prompt payment for purchases by using established processes for reimbursement or disbursements.

2. Before making any contractor payments, the Treasurer shall ensure that every contractor with less than five (5) employees is requested to furnish a certificate of workers compensation insurance for any service work done by such contractor on District premises; however, if any such contractor does not have workers compensation insurance, then the Treasurer shall ensure such fact is provided to the District's workers compensation insurance carrier at the time of final premium audit for the workers compensation insurance.

3. As required by RSMo §376.696, no contract shall be entered into by the Board of Directors to purchase any insurance policy or policies unless the contract is submitted to competitive bidding at least every six years (6) and the contract is awarded to the best and lowest of at least three (3) bidders.

4. As allowed by RSMo §376.696, the renewal of any insurance policy during any period between submissions of the contract to competitive bidding shall not constitute a separate and distinct contract for the time covered by the renewal but shall be treated only as an extension of an existing contract.

5. As required by RSMo §67.150.2, no contract shall be entered into by the Board of Directors to purchase any hospitalization, medical, or life insurance policy or policies unless the contract is submitted to competitive bidding at least every three years and the contract is awarded to the best and lowest of at least three (3) bidders.

6. As encouraged by RSMo 110.010 and 110.030, starting in 1997, the District shall submit banking services for competitive bid at least every four (4) years.

PROCUREMENT OF GOODS PRACTICES

1. The following steps should be followed when procuring goods:

   a. Determine the purchase of goods to be potentially necessary;

   b. Secure proper authorization to obtain pricing, quotations, or bids depending on expected costs and available budget;

   c. Find pricing or quotations or receive bids;

   d. Receive proper approval to purchase the goods, including budget amendments if necessary;

   e. Purchase goods using established processes for check requests, reimbursement, charge accounts, or open invoice accounts, or purchase card purchases; and

   f. If purchased goods have not been paid for, arrange for prompt payment for purchases by using established processes for reimbursement or disbursements.

2. Authorized purchasers are encouraged to purchase goods and materials made with recycled content.

3. All goods shall be inspected at time of receipt to ensure goods are in an acceptable condition and quantities, unit of measure, item numbers, item description, etc. are recorded, completing a *Receiving Detail Form 824-2* if a packing or shipping list is unavailable.

4. As required by RSMo §320.088, the District shall not purchase any new Personal Protection Equipment (PPE) for structural firefighters unless such equipment meets those standards adopted by the National Fire Protection Association (NFPA) or where no standards exist, the Occupational Safety and Health Administration (OSHA) fire brigades standards, *29 Code of Federal Regulation (CFR) 1910.156* until a NFPA standard is adopted.

5. If the District is reimbursed by the Centers for Medicare and Medicaid Services (CMS) or a CMS contractor, as required by CFR § 424.516(e), the

District must report to the Centers for Medicare and Medicaid Services (CMS) or the CMS contractor within ninety (90) days if there has been an acquisition or disposal of an ambulance.

CONSTRUCTION OR RENOVATION PRACTICES

1. As allowed by RSMo §8.677, the Facility Manager or District may elect to engage the construction management services of a construction manager when planning, designing, and constructing a building or structure or when improving, altering, or repairing a building or structure. Construction management services may be used by the District in the preconstruction phase or the construction phase of public works project or in both phases of the project.

2. In regard to construction management services, the District shall follow RSMo 8.675-681 for the required contract; procedure to solicit proposals; advertising required; how proposals are selected, re-evaluated, or re-solicited; construction manager duties; or prohibited conduct.

3. As required by RSMo 34.059.1, the District, nor any officer, agent or employee acting or purporting to act on behalf of the District, shall require a bidder, proposer, or contractor to obtain or procure any surety bond, including but not limited to bid bonds, payment bonds and performance bonds, from a particular insurance or surety company, producer, agent, or broker in connection with any contract for the construction of public works.

4. As required by RSMo 290.550-580, during periods of excessive unemployment as declared by the Missouri Department of Labor and Industrial Relation's Division of Labor Standards, it is the responsibility of the District to ensure all contractors involved in constructing public works for the District must only employ non-executive, non-supervisory, or non-technical workers from Missouri or from nonrestrictive states on those projects (during high unemployment, check the Missouri Department of Labor and Industrial Relation's website for any lists of restrictive and nonrestrictive states).

5. As required by RSMo §290.230, prevailing wage rates are required on new construction and major renovations of the District's public works in excess of seventy-five thousand dollars ($75,000.00):

    a. As required by RSMo §§290.250.1 and 290.325, before advertising for bids, awarding a contract, undertaking, or disbursing any funds for construction of public works, the District shall request a determination of Henry County prevailing wages;

    b. The District shall attach to and make a part of the specification for the construction of pubic works, the schedule of prevailing wage rates;

    c. The Board of Directors shall specify the prevailing wage rates in the resolution and in the call for bids for the contract;

    d. The Board of Directors when awarding the contract shall cause to be inserted in the contract a stipulation to the effect:

        i. That not less than the prevailing wage rates shall be paid to all workers performing work under the contract; and

        ii. That the employer shall forfeit as a penalty for each worker employed that is paid less than prevailing wage rates;

    e. The Board of Directors shall take cognizance of all prevailing wage rate violation complaints;

    f. The Board of Directors shall cause the Treasurer to withhold and retain from the contractor all sums and amounts due as a result of any prevailing wage rate violation;

    g. The Board of Directors must approve any written agreement for deductions from wages;

2. As required by RSMo §292.675.2, any District contractor for purposes of construction of public works and any subcontractor to such contractor shall provide a ten-hour Occupational Safety and Health Administration (OSHA) construction safety program for their on-site employees.

3. As required by RSMo §292.675.4, the Board of Directors shall specify the contractor and subcontractor employee health and safety requirements and penalties in the resolution, in the call for bids, and in the contract awarded for the contract for construction of public works.

4. All public works contracts made and awarded by the District for construction, reconstruction or alteration of any public works project shall provide for prompt payment by the District to the contractor and prompt payment by the contractor to the subcontractor and material supplier in accordance with RSMo §34.057.

5. As required by RSMo §34.209, when the District is engaged in procuring or letting contracts for construction of a project that is funded by greater than fifty percent (50%) of state funds, the District shall ensure that bid specification, project agreements, and other controlling documents entered into, required, or subject to approval by the District do not:

    a. Require or prohibit bidders, offerors, contractors, or subcontractors to enter into or adhere to agreements with one or more labor organizations on the same or related projects; or

    b. Discriminate against bidders, offerors, contractors, or subcontractors for entering or refusing to enter or to remain signatory or otherwise adhere to agreements with one or more labor organizations on the same or related construction projects.

PROCUREMENT CONSIDERATIONS

1. Authorized purchasers are encouraged to utilize cooperative purchasing:

    a. Price information, vendor lists, bidder histories, and standard specifications may be shared wherever practical and feasible so that maximum value can be obtained;

    b. Cooperative purchasing agreements to gain better prices and choices and to provide the lowest competitive price consistent with quality and service requirements should be presented for Board of Directors authorization; and

    c. Purchases may be made from state purchasing contracts if such purchases are in the best interest of the District.

2. Pursuant to RSMo §217.575, no goods or services manufactured, provided, or produced by the state vocational enterprises program (the prison industries) should be purchased from any other source unless the goods or services included cannot be furnished or supplied by the vocational enterprises program or furnished or supplied by the vocational enterprises program in a timely manner.

3. Specifications shall be prepared to:

    a. Address functionality in general terms rather than brand, trade name, or other individual mark, i.e., brand names and numbers, when used, should be for reference purposes and indicate the character or quality desired;

    b. Assure that competition is not restricted or precluded; and

    c. Contain an “or equal” or "or acceptable alternate" clause if brand names or numbers are used, with acceptable alternates determined by the authorized purchaser.

4. Standardization and compatibility requirements shall be considered, which can be maintained for purposes of economies in replacement and maintenance.

5. When practical and feasible, the District should test and evaluate all goods, utilizing product association testing reports, independent research laboratories, or governmental testing reports in evaluation criteria.

6. Life cycle cost and energy efficiency shall be included in the criteria used by the District when purchasing energy consuming products.

VENDOR CONSIDERATIONS

1. Nonresponsive vendors shall be given decreased purchase and service contract preferences:

    a. Delivery of goods and services that do not comply with specifications;

    b. Failure to deliver within the specified time;

    c. Failure to timely cure one or more noncompliant deliveries;

d. Refusal to deliver after submitting a quotation, bid, or proposal and after receiving an order;

e. Withdrawal of quotations, bids, or proposals prior to the placing of an order;

f. Failure to have qualified service available to set up, check out, or instruct District personnel on use of goods;

g. Failure to have parts to service goods that is part of the agreement or warranty;

h. Bankruptcy, no longer in business, or other evidence of insolvency;

i. Failure to comply with applicable District policies, e.g., participation in a federal work authorization program such as E-Verify;

j. Illegal purchasing practices;

k. Failure to respond to requests for prices; or

l. Any other fact which might cause substantial doubt about the vendor's ability to continue as a responsible source and fulfill obligations.

CONFLICTS OF INTEREST CONSIDERATION

1. As required by RSMo §105.454, the District President, Secretary, Treasurer, Budget Officer, Custodian of Records, District Manager, or Fire Chief shall not:

   a. Perform any service for any agency of the state, or for the District for receipt or payment of any compensation, other than of the compensation provided for the performance of his or her official duties, in excess of five hundred dollars ($500) per transaction or five thousand dollars ($5,000) per year, except on transactions made pursuant to an award on a contract let or sale made after public notice and competitive bidding, provided that the bid or offer is the lowest of at least three bids or offers received;

b. Sell, rent, or lease any property to any agency of the state, or to the District and received payment in excess of five hundred dollars ($500) per transaction or five thousand dollars ($5,000) per year, unless the transaction is made pursuant to an award on a contract let or sale made after public notice and in the case of property other than real property, competitive bidding, provided that the bid or offer accepted is the lowest of at least three bids or offers received;

c. Participate in any matter, directly or indirectly, in which he or she attempts to influence any decision of any agency of the state, or the District, when he or she knows the result of such decision may be the acceptance of the performance of a service or the sale, rental, or lease of any property to that agency or to the District for payment in excess of five hundred dollars' ($500's) value per transaction or five thousand dollars' ($5,000's) value per year to him or her, to his or her spouse, to a dependent child in his or her custody or to any business with which he or she is associated unless the transaction is made pursuant to an award on a contract let or sale made after public notice and in the case of property other than real property, competitive bidding, provided that the bid or offer accepted is the lowest of at least three bids or offers received;

d. Perform any services during the time of his or her office or employment for any pay from any person, firm, or corporation, other than the compensation provided for the performance of his or her official duties, by which service he or she attempts to influence a decision of any agency of the state, or of the District;

e. Perform any service for pay, during one year after termination of his or her office or employment, by which performance he or she attempts to influence a decision of any agency of the state, or a decision of the District, except that this provision shall not be construed to prohibit any person from performing such service and receiving compensation therefor, in any adversary proceeding or in the preparation or filing of any public document or to prohibit an employee of the executive department from being employed by any other department, division or agency of the executive branch of state government; and

f. Perform any service for any pay for any person, firm, or corporation after termination of his or her office or employment in relation to any case, decision, proceeding or application with respect to which he or she was directly concerned or in which he or she personally participated during the period of his or her service or employment.

2. As required by RSMo §105.458.1, a Director shall not:

    a. Perform any service for the District for any payment other than the attendance fees provided for the performance of his or her official duties, except as otherwise allowed; or

    b. Sell, rent, or lease any property to the District for payment in excess of five hundred dollars ($500) per transaction or five thousand dollars ($5,000) per year, unless the transaction is made pursuant to an award on a contract let or a sale made after public notice and in the case of property other than real property, competitive bidding, provided that the bid or offer accepted is the lowest of at least three bids or offers received; or

    c. Attempt, for any pay other than the attendance fees provided for the performance of his or her official duties, to influence the decision of the District on any matter; except that, this provision shall not be construed to prohibit such person from participating for compensation in any adversary proceeding or in the preparation or filing of any public document or conference thereon.

3. As required by RSMo §105.458.2, no sole proprietorship, partnership, joint venture, or corporation in which any Director is the sole proprietor, a partner having more than a ten percent (10%) partnership interest, or a co-participant or owner of more than ten percent (10%) of the outstanding shares of any class of stock, shall:

    a. Perform any service for the District for any pay in excess of five hundred dollars ($500) per transaction or five thousand dollars ($5,000) per year, unless the transaction is made pursuant to an award on a contract let after public notice and competitive bidding, provided that the bid or offer accepted is the lowest of at least three bids or offers received;

    b. Sell, rent, or lease any property to the District where the pay is in excess of five hundred dollars ($500) per transaction or five thousand dollars ($5,000) per year, unless the transaction is made pursuant to an award on a contract let or a sale made after public notice and in the case of property other than real property, competitive bidding, provided that the bid or offer accepted is the lowest of at least three bids or offers received.

INVOICING AND VENDOR CREDIT

Bill Form 824-3 shall be completed for each invoice using the District's *Chart of Accounts*.

Credit Form 824-4 shall be completed for each vendor credit or credit memo using the District's *Chart of Accounts*.

RELATED STANDING RULE

Spending Limits 006

RELATED POLICIES

Medicare Enrollment Information Policy 724
Reimbursements 830
Budgeting and Setting Property Tax [Levy] Rates 834
Disbursements 836
Charge Accounts 842
Purchase Card Purchases 884

STATUTORY REFERENCES

RSMo §§8.280, 8.285-291, 8.675-681, and 8.677
RSMo §§34.057, 34.059.1, 34.073, 34.074.3, 34.076.1, 34.165.1, 34.209, 34.353, and 34.600
RSMo §§67.080, 67.150.2
RSMo §§105.454 and 105.458
RSMo §107.170
RSMo §§110.010 and 110.030
RSMo §217.575
RSMo §285.530
RSMo §§290.220, 290.230, 290.250.1, 290.325, and 290.550-580
RSMo §292.675
RSMo §320.088
RSMo §§321.010.1, 321.220(4), 220(6), 600(4), and 600(6)
RSMo §376.696
RSMo §432.070
CFR §424.516(e)

REVISION HISTORY

Revision Date	Author	Revision Details
April 4, 2022	Monte Olsen	Initial version
February 19, 2026	Monte Olsen	Grammatical and typographical corrections; insertion of hyperlinks to other policies, forms, references; and ensuring contractors without workers compensation insurance are provided to the District's workers compensation insurance carrier; added footer; referral to spending limit rule instead of listing a specific spending limit in this policy.