

RESOLUTION NO. 120825-1

A RESOLUTION ADOPTING AN AMENDED AND RESTATED PURCHASING POLICY FOR THE CITY OF ABILENE, KANSAS.

WHEREAS, the City of Abilene, Kansas (“City”) previously adopted a Purchasing Policy through Resolution 052311-1, as amended by Resolutions 082718-1, 052223-2, and 102323-1;

WHEREAS, the Governing Body finds it necessary and appropriate to repeal the existing Purchasing Policy and adopt a fully amended and restated Purchasing Policy to simplify, clarify, and modernize the City’s purchasing procedures while ensuring they are efficient and easy to understand, and to maximize the value of public funds through effective competition and sound purchasing practices; and

WHEREAS, the amended and restated Purchasing Policy is attached to this Resolution as **Exhibit A** and incorporated herein by reference.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the City of Abilene, Kansas:

SECTION ONE. Purchasing Policy. The amended and restated Purchasing Policy attached hereto as **Exhibit A** is hereby adopted and shall constitute the City’s official and comprehensive purchasing policy.

SECTION TWO. Administration and Implementation. The City Manager is authorized to administer, interpret, and enforce the Purchasing Policy; to implement related procedures and forms; and to ensure compliance by all departments with the purchasing thresholds, methods, and authorization requirements established therein.

SECTION THREE. Repeal. All previously adopted resolutions or policies relating to City purchasing procedures, including Resolution 052311-1, Resolution 082718-1, and Resolution 052223-2, are hereby repealed and replaced in their entirety by this amended and restated Purchasing Policy.

SECTION FOUR. Effective Date. This resolution shall be in full force and effect upon its adoption.

Adopted by the Governing Body and signed by the Mayor on this 8th day of December, 2025.



Shayla L. Mohr
Shayla L. Mohr, CMC, City Clerk

Brandon Rein
Brandon Rein, Mayor



**Purchasing Policy
Revised
December 8, 2025
Resolution No. 120825-1**

Purpose, Authority, Applicability

This policy establishes a comprehensive and uniform system for acquiring supplies, materials, equipment, public improvements, and services in an economical, transparent, and timely manner; ensures fair and equitable treatment of vendors; and safeguards the integrity of City purchasing. It applies to all City departments and all expenditures of public funds, regardless of funding source. When the purchase involves the expenditure of federal or state assistance or contract funds, the purchase shall be conducted in accordance with any mandatory applicable federal and/or state law and regulations.

Objectives

The objectives of this policy are to simplify, clarify, and modernize the City's purchasing procedures while ensuring they are efficient and easy to understand. It seeks to maximize the value of public funds through effective competition and sound purchasing practices. The policy promotes strong budgetary control, accountability, and ethical conduct in all procurement activities. Ultimately, it aims to strengthen public confidence in the City's purchasing process by upholding transparency, fairness, and equal treatment of all vendors and participants.

Public Access & Records

Purchasing information is a public record subject to Kansas law; bid tabs and award records will be made available for public inspection. Procurement records will be retained and disposed of per the City's records retention schedule and applicable Kansas/federal requirements.

Roles & Purchasing Authority

The City operates under a decentralized purchasing model in accordance with this policy. Department Directors are responsible for ensuring that all purchases within their budgets comply with the procedures and authorization levels established in the matrix. The City Manager (CM) administers and enforces this policy, reviews purchases as required by the applicable threshold, and ensures consistency with financial controls. Purchasing levels and authority are established in the Thresholds, Methods, and Approvals Matrix (see Appendix A)

Purchase of multiple items shall not be split to circumvent the spending limitations or the purchase order process.

Exceptions to general purchasing procedures and city commission action.

The purchases of these items are excepted from bids or quotes or city commission action, and the use of purchase orders is waived:

- a) Utility Bills;
- b) Urgent on-call repair
- c) Interdepartmental Transfers or Charges;
- d) Medical Expenses;
- e) Legal Notices;
- f) Postage Costs;
- g) Memberships and Dues;
- h) Mileage, Travel, Conference Reimbursements;
- i) Fees and Taxes of Other Units of Government;

Competitive Procurement Methods

- **Invitation for Bids (IFB, sealed):** For well-defined goods/construction; award to the responsive, responsible bidder offering the lowest total cost (may include life-cycle cost). Public notice of at least 10 days; public opening; evaluation based on stated criteria.
- **Request for Proposals (RFP, competitive negotiation):** When factors beyond price are significant (e.g., approach, schedule, qualifications) or various goods are available. Evaluate per published criteria; negotiate with top proposers; award to the most advantageous offer.
- **Qualifications-Based Selection (QBS/RFQ):** For professional services (e.g., A/E). Rank qualifications first; negotiate the scope/fee with the top-ranked firm; if unsuccessful, proceed to the next option.
- **Cooperative Purchasing:** The City may use Sourcewell, Greenbush, State/Federal contracts, or other approved cooperatives when their procedures generally meet or exceed this policy's standards.

IFB/RFP, RFQ Administration

- **Public Notice:** Official website (and newspaper at CM discretion) with clear scope, submission deadline, opening time/place, and the City's right to reject. ≥ 10 calendar days for IFB/RFP/RFQ.
- **Submission & Opening:** Bids delivered sealed to the City Clerk and time-stamped; late bids are ineligible and not opened. Public opening with witness; tabulation recorded.
- **Evaluation & Award:** Evaluate against stated, objectively measurable criteria (e.g., delivery, quality, warranty, discounts, freight, life-cycle cost). Award promptly to the most advantageous offer; the City reserves the right to reject/cancel.
- **Mistakes/Withdrawals:** Corrections/withdrawals for inadvertent errors may be permitted per CM authorization.

Bonds & Insurance

Payment bond required for public improvements/building projects over \$100,000 per K.S.A. 60-1111; additional bonds per solicitation when in the City's interest. Surety must be authorized to do business in Kansas.

Sole Source & Noncompetitive Procurement

Allowed only when competition is not feasible (e.g., single available source; compatibility/standardization; proprietary component; used item; urgent on-call repair timing). Requires written justification from the Department Director and prior CM approval. Negotiate fair and reasonable price, scope, and terms, documented by contract/PO.

Time-Sensitive Used Equipment Purchases.

In cases where a used or pre-owned equipment item becomes available, and the delay required for competitive solicitation or City Commission approval would likely result in the item being sold or otherwise no longer available, the City Manager may authorize a sole-source purchase up to \$25,000.

The Department Director shall provide written justification documenting:

- the operational need for the equipment;
- the time-sensitive nature of the opportunity;
- anticipated cost savings or other public benefit compared to new or competitively bid alternatives; and
- evidence that the proposed purchase price is fair and reasonable.

The City Manager shall report all such purchases to the City Commission at its next regular meeting, including cost, vendor, justification, and budgetary impact.

Emergency Purchases

When an emergency threatens public health, safety, or operations, departments may obtain only the quantity necessary, with as much competition as practicable. The CM (or designee) may authorize, and a report of emergency purchases and budget impact shall be provided to the Commission after the event.

Environmentally Preferable Purchasing & Life-Cycle Costing

The City favors goods/services with reduced environmental impacts when performance, availability, and overall value are reasonable, considering full life-cycle cost (acquisition, O&M, longevity, disposal). LCCA is required for items exceeding \$100,000 and may be used for items below that threshold. Solicitations will disclose if LCCA is used and the evaluation factors.

Purchase Cards (P-Cards)

P-Cards are for authorized City purchases only. Receipts and documentation must be submitted to finance within two business days. Personal use is not permitted. Tax-exempt status must be applied. The Finance Director/CM may audit any account and cancel for cause.

Sales & Use Tax; Tax-Exempt Purchasing

The City is exempt from Kansas sales/use tax (K.S.A. 79-3606(b)). Departments must ensure that exemption certificates are on file and applied; contractors on City projects must use City-issued project exemption certificates as specified in the contract.

Grants & Federal/State Funds

When federal or state funds are used, the City will adhere to all applicable mandatory procurement rules. Solicitations will incorporate any program-specific requirements (e.g., Buy America, Davis-Bacon, debarment checks).

Contracts & Service Agreements

Service contracts generally may not exceed five (5) years, with a one-time option to renew at market prices, if applicable. Standard terms will include a non-appropriation clause, required insurance, nondiscrimination, and compliance clauses.

Debarment & Suspension (Vendors)

After written notice and an opportunity for due process, the City Manager (in consultation with the City Attorney) may suspend or debar a vendor for just cause. Causes include, but are not

limited to, fraud, criminal conviction, antitrust violations, serious contract performance failures, misrepresentation, or other compelling reasons affecting responsibility or integrity.

Due Process Procedure

1. Notice of Proposed Action:

The vendor shall receive written notice stating the specific grounds for suspension or debarment, the evidence relied upon, and the intended duration. The notice shall inform the vendor of their right to respond in writing within ten (10) business days.

2. Opportunity to Respond:

The vendor may submit documentation or request a hearing before the City Manager or designee to present facts, mitigating circumstances, or corrective measures. Hearings shall be informal but allow reasonable presentation of evidence and witnesses.

3. Decision:

The City Manager shall issue a written determination within fifteen (15) business days after the close of the response period or hearing, stating findings and conclusions. Suspension may not exceed three (3) months; debarment may not exceed two (2) years unless extended for cause. The decision will be sent to the vendor and maintained in the City's purchasing records.

4. Appeal:

The vendor may appeal the City Manager's determination to the City Commission within ten (10) business days of receipt. The City Commission's decision shall be final.

Disposal of City Property

- Items with estimated value up to \$25,000: dispose of via trade-in, public auction, or solicitation/notice with CM authorization.
- > \$25,000: Commission approval required; dispose via trade-in, public auction, or solicitation/notice.
- Donations to other governments or non-profits require Commission approval.
- Real property interests (leasehold or fee) require Commission approval.

Sale proceeds are allocated to the corresponding fund. Departments must keep current inventory and notify Finance of dispositions for insurance/accounting records.

Ethics, Conflicts, Gratuities & Confidentiality

- City officers and employees must avoid actual or perceived conflicts of interest and comply with K.S.A. 75-4304 and City personnel policies. No use of position for personal gain; no sharing of confidential information for advantage.
- No vendor may offer, and no employee may accept, gratuities or kickbacks intended to influence decisions. This includes any gift, service, or favor offered with the intent—or appearance—of securing preferential treatment in the procurement process. Ordinary courtesy items of nominal value (e.g., coffee or a pen at a trade show) are not prohibited, but anything that could reasonably appear to compromise impartiality or independence is strictly forbidden.

- Violations may result in discipline, contract termination, suspension/debarment, recovery, and/or referral for criminal action.

Local Preference, Cooperative, and Special Case Practices

- **Local Preference:** When two or more bids or proposals are otherwise equal in quality, terms, and compliance, preference may be given to vendors located within Dickinson County if their price is within five percent (5%) of the lowest non-local bid. Local preference does not apply where prohibited by law, grant funding requirements, or for new construction projects.
- **Cooperative Purchasing:** The City may participate in cooperative purchasing programs or utilize contracts established by other governmental entities, such as the State of Kansas, Sourcewell, or Greenbush, provided that the originating entity's procurement process meets or exceeds the standards set forth in this policy. Cooperative purchasing allows the City to achieve cost savings and administrative efficiencies through shared competition and volume pricing.
- **Special Case Purchases:** In cases such as diagnostic service calls, equipment repairs with undetermined scope, or emergency replacements, departments may proceed with obtaining services to restore operations, provided the City Manager or Finance Director is notified and a written estimate or purchase order is obtained once the scope and cost are known.

Fiscal Controls & Audit Readiness

- No PO/contract—no work unless specifically exempted (e.g., true emergencies).
- All solicitations must clearly state evaluation factors, delivery, warranty, and any life-cycle criteria.
- Each procurement must have a complete file (need/justification, method, quotes/bids, tabulation, evaluation, award, contract, bonds/insurance, change orders, performance, payment, closeout) maintained by the Finance Director.

Sales to/From City; Conflicts of Interest

City officers/employees shall not participate in contracts in which they have a substantial interest; abstention and disclosure are required where applicable. Competitive processes and statutory fixed-rate situations are exceptions as permitted by law.

Public Works Change Orders

The City Manager is authorized to approve change orders up to the lesser of \$50,000 or three percent (3%) of the original contract amount, provided that adequate funds are available and no change in project scope occurs. Any change in scope or change order exceeding this limit requires City Commission approval. The City Manager shall notify the Commission within three (3) business days of exercising this authority.

Kansas Nondiscrimination & Equal Opportunity

All City contracts include provisions requiring compliance with the Kansas Act Against Discrimination and applicable federal/state EEO requirements; failure to comply is a material breach. The City does business only with vendors that are compliant.

**Appendix A
Thresholds, Methods & Approvals**

Total Amount	Who May Purchase	Minimum Method & Documentation	Process
\$1 – \$2,500	Superintendent or Department Director	Purchasing Card or Direct Bill to the City	Invoice/receipt detailing purchase signed and dated by superintendent or department director with account code. Turned in to finance within 2 business days
\$2,501 – \$5,000	Department Director	Purchase Order Required. Two telephone, electronic, or informal written quotes required, and noted in requisition.	Purchase Order reviewed by the Finance Director and City Manager. For recurring purchases, bids may be submitted and accepted for periods not to exceed one year.
\$5,001 - \$25,000	City Manager	Purchase Order Required. Three telephone, electronic, or written quotes required, and noted in requisition. If three quotes cannot be obtained, it must be noted in the requisition	Purchase Order reviewed by the Finance Director and City Manager. If the item selected is not the lowest-priced, an explanation must be given to the City Manager
\$25,001 or more	City Manager* City Commission	Same procedures as those exceeding \$2,500. Formal sealed competition (IFB/RFP or QBS) or, in some cases, noncompetitive selection. as appropriate.	<p>All purchases exceeding \$25,001 require City Commission approval. Two exceptions apply:</p> <p>When an emergency makes prior Commission approval impractical or when delay would increase cost or risk to the City, the City Manager may authorize the purchase.</p> <p>When a used-equipment opportunity requires immediate action to secure pricing or availability, and delay for Commission approval would likely result in losing the opportunity, the City Manager may authorize the purchase under the Sole Source & Noncompetitive Procurement provisions. All purchases under either exception shall be reported to the City Commission.</p>