

Mayor's Office: Council Agenda Item Request Form
*This form and supporting documents (if applicable) are due the Wednesday
before the COW meeting by noon.*

Date Received (office use)	
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Date of Request	1/10/18
Requesting Staff Member	Jason Yocom / Kim Barnett
Requested Council Date	January 23, 2018
Topic/Discussion Title	Procurement Ordinance and Policy changes to comply with the Federal Uniform Guidelines that have gone into effect 1/1/18. Ordinances 3.15 Definitions, 3.20 Procurement, and 3.24 Preference System and Policies 7010 Procurement, and 7030 RFP.
Description	The OMB Circular Federal Uniform Procurement Guidance went into effect for non-federal entities 1/1/18. These rules apply to entities receiving federal funding, which include grants, FEMA reimbursement or other federal funds. The changes we are proposing to the county procurement policies are recommended by our outside auditor to get our policies into compliance with the Federal Guidance to ensure there are testable controls in place when the auditor checks on these processes. The changes proposed include matching the county's small cost purchasing limit to that of the federal micro-purchasing limit set by the OMB which is currently \$3,500 and periodically adjusted for inflation. The county's small cost limit has been \$5,000. The other change we are proposing is that the federal requirements prohibit the use of local preferences in the evaluation of bids or proposals, which we believe forces the county to eliminate its local business preference in procurement to avoid potential audit findings, penalties or loss of federal funds if federal funds are spent on contracts we put in place where the local preference was part of the procurement. The local business preference is largely symbolic and has never applied to construction projects as they are governed by state law, and the preference very rarely comes into play on other procurements. If these changes are not made, the county risks outside audit findings that could jeopardize federal funding.
Requested Action¹	Approve / Adopt the proposed ordinance and policy changes
Presenter(s)	Jason Yocom
Time Needed²	10 minutes

¹ What you will ask the Council to do (e.g., discussion only, appropriate money, adopt policy/ordinance) – in specific terms.

² Assumed to be 10 minutes unless otherwise specified.

Time Sensitive³	
Specific Time(s)⁴	
Contact Name & Phone	Jason Yocom x8-0304 / Kim Barnett x8-7007
<p>Please attach the supporting documentation you plan to provide for the packets to this form. While not ideal, if supporting documents are not yet ready, you can still submit them by 10 am the Friday morning prior to the COW agenda. Items without documentation may be taken off for consideration at that COW meeting.</p>	

Mayor or Designee approval:



³ Urgency that the topic to scheduled on the requested date.

⁴ If important to schedule at a specific time, list a few preferred times.



children's
JUSTICE CENTER
SALT LAKE COUNTY



Ralph Chamness
Chief Deputy
Civil Division

Lisa Ashman
Administrative
Operations


SIM GILL
DISTRICT ATTORNEY

Jeffrey William Hall
Chief Deputy
Justice Division

Blake Nakamura
Chief Deputy
Justice Division

MEMORANDUM

TO: Jason Yocom

FROM: Adam Miller 

DATE: January 17, 2018

RE: **Changes to Purchasing Ordinance and Policies**
D.A. No. 17-09901

Enclosed, please find revised versions of: a) a proposed ordinance indicating the changes we've been discussing to the County's procurement ordinance; b) clean copies of the new Countywide Policies 7010 and 7030; and b) the same policies in legislative format, indicating all the changes in strikeout and underline.

These documents were revised to identify Aimee Winder Newton as the chair of the County Council and to correct some typos. All the documents have been approved as to form.

I am delivering these documents to you for further action. Please call me at x87774 if I can be of further assistance with this matter.

SALT LAKE COUNTY
COUNTY-WIDE POLICY
ON
PROCUREMENT

Reference—

Salt Lake County Ordinance Chapters 3.15, 3.16, 3.20 and 3.24.

Purpose—

This policy is to establish standards and guidelines for the procurement of goods and services within the county.

1.0 Policy

1.1 Specification - The overall purpose of written specifications is to provide a basis for obtaining product or service which will satisfy a particular need at an economical cost. It also should invite maximum reasonable competition. To this end, specifications should not be too restrictive but should be closely tailored for an item's intended use or functional capabilities and levels of performance. Wherever possible, specifications should be sent electronically to a buyer.

1.1.1 Brand Name or Equal Specifications- cites one or more brand name, model number, or other designations that identify the specific products of a particular manufacturer as the characteristics of the item desired. Any other brands or models substantially equivalent to those named are considered for the award, with the buyer reserving the right to determine equivalency. This type of specification invites product and price competition across the marketplace and can be identified by the phrase "as equal," or "approved equal," or "similar in design, construction, and performance." Such references are not intended to be restrictive, and bids are invited on these and comparable brands or products of any manufacturer.

1.1.1.1 To verify that the specifications presented to the Division of Contracts and Procurement are not restrictive, the division may ask the agency for those manufacturers or dealers that would be able to supply the product or service as specified.

1.1.1.2 Brand names used in specifications are intended to indicate the desired level and capability of performance required by the requesting agency. Bids with minor variations from these specifications, which meet the intended use of this equipment, may be bid. Bidders should note any exceptions to the specifications

and so indicate why these specifications meet, or exceed, the requested specifications.

- 1.1.2 Performance Specifications are less interested in how a product is made and more interested in how it performs. Tests or criteria may be developed to evaluate a product's ability to perform and to endure as required.
- 1.1.3 Each buyer will review and make recommendations on each specification received. The purchasing agent or designee will have the final approval for each award (under the direction of the mayor).
 - 1.1.3.1 Standardization of commodities and services is a method of reducing cost, both for the commodity and administration cost of the county. Each buyer, with the help of the using agency, will establish standards for the commodities in their buying portfolio. All contracts for goods or services will be reviewed for standards that may be used by other agencies within the county.
 - 1.1.3.2 The responsibility for standardization of specifications will rest with the Division of Contracts and Procurement. Criteria used to select areas for standardization of specifications and subsequent contracting includes but is not limited to: high dollar volume, purchasing frequency, and areas where current specifications have created problems.
 - 1.1.3.3 Training in writing of specifications will be given to those agencies required to draft specifications at their request.
 - 1.1.3.4 The inclusion of appropriate contractual terms and conditions with specifications is a necessary protection to the county. Such terms include delivery requirements, freight, installation, warranties, etc. However, some contractual terms and conditions or boilerplate language included with bid requests do not always cover all the elements. Buyers shall request advice from the attorney before making any changes to the sample contractual terms or boilerplate language.

2.0 Bidding

- 2.1 As a general policy statement of the purchasing ordinance "all procurements will be made on a competitive basis to the maximum practicable extent."
- 2.2 The request for bids is used to initiate competitive sealed bid acquisitions and should include the following:
 - 2.2.1 Instructions and information to bidders concerning the bid submission requirements, including the time and bid opening date, the address of the

Division of Contracts and Procurement office to which bids are to be delivered, and any other special information.

- 2.2.2 The purchase description, evaluation factors, delivery or performance schedule, and inspection and acceptance requirements.
- 2.2.3 The contract terms and conditions, including warranties and bonding or other security requirements, as applicable.
- 2.3 Incorporation By Reference - The request for bids may incorporate documents by reference provided that the request for bids specifies where such documents can be obtained.
- 2.4 Acknowledgment of Addenda - The request for bids may require the acknowledgment of the receipt of all addenda issued; the submission of a bid response on the latest addendum to the request for bids, together with all other requirements of the bid, constitute acknowledgment of the receipt of all addendum. Absence of said acknowledgment could invalidate the bid response as determined by the county's evaluation of bidder's responsiveness, responsibility, extent of offer, degree of compliance with the specifications and/or determination of an acceptable offer.

3.0 Bidding Time

Bidding time is the period of time between the date of distribution of the Request for Bids and the date set for opening of bids. In each case, bidding time will be set to provide bidders a reasonable time to prepare their bids. A minimum of ten (10) calendar days shall be provided unless the purchasing agent or agent's designee deems a shorter time necessary. The purchasing agent or designee shall document the justification for the decision.

4.0 Bidder Submissions

- 4.1 Bid Form – The request for bids will provide a form which must include space in which the bid price will be inserted and which the bidder must sign and submit along with all other necessary terms, conditions and specifications. Bids must be signed in ink and placed in a sealed envelope or other sealed container. Bids may also be submitted by electronic copy through the county's designated system and include an electronic signature. Only bids submitted on the county's bid forms will be considered. The purchasing agent or designee may deem a bid non-responsive if it does not contain all bid documents or accept all the county's terms and conditions.
- 4.2 An unsigned bid may be accepted if the unsigned bid is accompanied by other material, such as a signed letter, which indicates the bidder's intent to be bound by the terms and conditions of the bid and is determined by the county to constitute a valid offer from the bidder. Any such determination must be reviewed by the attorney.

- 4.3 The county will have no obligation to pay any cost or expense associated with the preparation or submission of a bid.
- 4.4 Bid Samples and Descriptive Literature.
 - 4.4.1 Descriptive literature means information available in the ordinary course of business which shows the characteristics, construction, or operation of an item and assists the buyer in considering whether the item meets requirements or criteria set forth in the request for bid.
 - 4.4.2 Bid sample means a sample to be furnished by a bidder to show the characteristics of the item offered in the bid.
 - 4.4.3 Bid samples or descriptive literature may be required when it is necessary to evaluate required characteristics of the items bid.
 - 4.4.4 Samples of items when called for in the request for bids, must be furnished free of expense, and if not destroyed by testing, will upon request, be returned at the bidder's expense. Samples submitted by the successful bidder may be held for comparison with merchandise furnished and will not necessarily be returned. Samples must be labeled or otherwise identified as called for by the buyer. Samples shall be kept until the time for filing a protest has passed.
- 4.5 Bid Security - Bid and performance bonds or other security may be required for supply contracts or service contracts as the buyer deems advisable to protect the interests of the county agency. Any such requirements must be set forth in the solicitation.
- 4.6 Bid Opening Procedures - Bids will be opened at the correct appointed day and time, by two or more authorized division employees. One employee is to open and read aloud the name and the bid amount. The other employee will record, in writing, the information being read.

5.0 Public Notice

- 5.1 Distribution - Request for bids or notices of the availability of request for bids will be furnished to a sufficient number of bidders for the purpose of securing reasonable competition. Where appropriate, the purchasing agent may require payment of a fee or a deposit for the supplying of the request for bids. Also, vendors may receive bids for selected commodities via the automated bid procedure in Section 5.2 of this policy.
- 5.2 Publication - Formal Advertised Solicitations and public procurement notices required by ordinance will be publicized in any or all of the following:
 - 5.2.1 In a newspaper of general circulation;

- 5.2.2 In a newspaper of local circulation in the area pertinent to the procurement;
 - 5.2.3 In industry media;
 - 5.2.4 In a government publication designed for giving public notice; or
 - 5.2.5 Via the internet web page or other method available to take advantage of current technology.
- 5.3 Public Availability - A copy of the request for bids will be made available for public inspection at the Division of Contracts and Procurement's office. A list of all bid openings is posted in the Division of Contracts and Procurement's office, or on the division's website.

6.0 Bidders List

- 6.1 Public Availability - Subject to procedures established by the purchasing agent, names and business addresses of bidders on any bidding lists may be available in accordance with the Government Records Access and Management Act (GRAMA), as defined in Utah law.
- 6.2 Qualification Lists - Solicitations will not be restricted to only pre-qualified suppliers except as permitted by county ordinance 3.22.090. Qualifications for inclusion on a pre-qualification list may include such considerations as capabilities for production and distribution.

7.0 Pre-Bid Conferences

Pre-Bid conferences may be conducted to explain the procurement requirements and to answer any questions the vendors may have. They will be announced to all prospective bidders in the request for bids. The conference should be held long enough after the request for bids has been issued to allow bidders to become familiar with it, but sufficiently before bid opening to allow consideration of the conference results in preparing their bids. Verbal statements or information given at a pre-bid conference are not binding unless released in an Addendum to the request for bids.

8.0 Addenda to Request for Bids

- 8.1 Application - Addenda should be used to:
 - 8.1.1 Make any changes in the request for bids such as changes in quantity, specifications, purchase descriptions, delivery schedules, and opening dates;
 - 8.1.2 Correct defects or ambiguities; or
 - 8.1.3 Furnish to other bidders information given to one bidder if such

information will assist the other bidders in submitting bids or if the lack of such information would be partial to other bidders.

- 8.2 Form - Addenda to request for bids will be identified as such and will require that the bidder acknowledge receipt of all addenda issued. Submission of the latest addendum RFB is sufficient to acknowledge receipt of all addenda issued. Absence of said acknowledgment could invalidate the bid response as determined by the county's evaluation of bidder's responsiveness, responsibility, extent of offer, degree of compliance with the specifications and/or determination of an acceptable offer.
- 8.3 Distribution - Addenda will be posted on the county's designated electronic system.
- 8.4 Timeliness - Addenda will be distributed within a sufficient time, to allow prospective bidders to consider them in preparing their bids.
 - 8.4.1 If the time set for bid opening will not permit such preparations, such time will be increased in the addendum or, if necessary, by facsimile or telephone, and confirmed in the addendum.
 - 8.4.2 If the original bid was advertised, any extension of time will be not less than 7 days from date addendum is issued, unless approved for a shorter period by the purchasing agent.

9.0 Pre-Opening Modification or Withdrawal of Bids

- 9.1 Definition - Bids may be modified or withdrawn by a signed written notice received in the office designated in the request for bids prior to the time set for bid opening. A modification or withdrawal must be received prior to bid opening.
- 9.2 Disposition of Bid Security - Bid security, if any, will be returned to the bidder when withdrawal of the bid is permitted.
- 9.3 Records - All documents relating to the modification or withdrawal of bids will be made a part of the appropriate procurement file.

10.0 Late Bids, Late Withdrawals, and Late Modifications

- 10.1 Definition - Any bid, withdrawal, or modification, is considered late if it is received after the time and date set for opening of bids at the place designated for opening.
- 10.2 Treatment - Bids, modifications or corrections received after the opening time specified will not be considered. This applies regardless of the circumstances surrounding the lateness of the receipt of bid. Exceptions to this policy include, but are not limited to, action or inaction of procurement personnel, filing errors, etc., provided that any misplaced bid responses were received prior to the date and

time of bid opening and were properly documented.

- 10.3 Records - Records will be made and kept for each late bid, late modification, or late withdrawal as a part of the appropriate procurement file.

11.0 Receipt, Opening, and Recording of Bids

- 11.1 Receipt - upon receipt, all bids and modifications will be logged in, time stamped, but not opened. They will be stored in a secure place until bid opening time.
- 11.2 Opening and Recording- Bids and modifications will be opened publicly, in the presence of one or more witnesses, at the time and place designated in the request for bids. The name of the bidders, the bid price, and such other information as is deemed appropriate by the purchasing agent or designee, shall be read aloud or otherwise be made available. The opened bids will be available for public inspection except to the extent the bidder designates trade secrets or other proprietary data to be confidential as set forth in Subsection 11.3 of this section. Material so designated will accompany the bid and will be readily separable from the bid in order to facilitate public inspection of the non-confidential portion of the bid. Make, model, and catalogue numbers of the items offered, deliveries, and terms of payment will be publicly available at the time of bid opening regardless of any designation to the contrary.
- 11.3 Confidential Data - The purchasing agent or designee will examine the bids to determine the validity of any requests for non-disclosure of trade secrets and other proprietary data identified in writing. If the parties do not agree as to the disclosure of data, the procurement officer will inform the bidder in writing what portions of the bids will be disclosed. Blanket claims that the entire bid is confidential will be denied.
- 11.4 Public Information - All bids become the property of the county and will be treated as public information in accordance with GRAMA.

12.0 Mistakes in Bids

- 12.1 If a mistake is attributable to an error in judgment, the bid may not be corrected. Bid correction or withdrawal by reason of an inadvertent, non-judgmental mistake or minor informality is permissible, but at the discretion of the purchasing agent and to the extent it is not contrary to the interest of the county or fair treatment of other bidders.
- 12.2 Mistakes Discovered Before Opening - A bidder may correct mistakes discovered before bid opening by withdrawing or correcting the bid as provided in Section 9.0 (Pre-Opening Modification or Withdrawal of Bids).
- 12.3 Confirmation of Bid - when it appears from a review of the bid that a mistake has been made, the bidder should be requested to confirm the bid. Situations in which confirmation should be requested include obvious, apparent errors on the face of

the bid or a bid unreasonable lower than the other bids submitted. If the bidder alleges mistake, the bid may be withdrawn if the conditions set forth in Subsections (12.1), (12.4) and (12.6) of this section are met.

- 12.4 Mistakes Discovered After Opening but Before Award - This subsection sets forth procedures to be applied in three situations described below in which mistakes in bids are discovered after opening but before the award.

12.4.1 Minor Informalities - matters of form rather than substance evident from the bid document, or insignificant mistakes that can be waived or corrected without prejudice to other bidders; that is, the effect on quantity, quality, delivery, or contractual conditions is not significant. The procurement officer may waive such informalities. A written determination of the basis for the waiver will be included in the purchasing file. Examples include the failure of a bidder to: (i) Return the number of signed bids required by the request for bids; (ii) sign the bid; (iii) acknowledge receipt of an addendum to the request for bids, but only if the addenda involved had a negligible effect on price, quantity, quality, or delivery.

12.4.2 Mistakes Where Intended Bid is Evident - If the mistake and the intended bid are clearly evident on the face of the bid document, the bid will be corrected to the intended bid and may not be withdrawn. Examples include: errors in extending unit prices, transposition errors, and mathematical errors.

- 12.5 Mistakes Discovered After Award - will not be corrected after the award of the contract, unless deemed to be in the county's best interest.

- 12.6 Written Approval or Denial Required - The purchasing agent will approve or deny, a bidder's request to correct or withdraw a bid. Such approval or denial may be so indicated on the bidder's written request for correction or withdrawal.

13.0 Bid Evaluation and Award

- 13.1 General - The contract is to be awarded to the lowest responsible and responsive bidder, best value bidder, or in the appropriate instance, to the highest responsible and responsive bidder whose bid meets the requirements and criteria set forth in the request for bids. The request for bids will set forth the requirements and criteria to determine the award of the bid. No bid will be evaluated for any requirements or criteria that are not disclosed in the request for bids. If an award is made for other than the low initial price, the reasons must be documented. A request for bids, a request for bid and resulting contract, a request for proposals, or other solicitations may be canceled, or any or all bids or proposals may be rejected, in whole or in part, when it is deemed to be in the best interests of the county.

13.1.1 Responsiveness relates to compliance with the provisions of the

solicitation, including specifications and contractual terms and conditions.

- 13.1.2 Responsibility relates to the ability of a bidder to successfully carry out a proposed contract. Other considerations bearing on determination of responsibility can be experience, past performance, business and financial capabilities, skills and reliability.
- 13.2 Product Acceptability - The request for bids will set forth the evaluation criteria to be used in determining product acceptability. It may require the submission of bid samples, descriptive literature, technical data, or other material. It may also provide for:
 - 13.2.1 Inspection or testing of a product prior to an award for such characteristics as quality or workmanship;
 - 13.2.2 Examination of such elements as appearance, finish, taste, or feel; or
 - 13.2.3 Other examinations to determine whether it conforms to any other purchase description requirements. The acceptability evaluation is not conducted for the purpose of determining whether one bidder's item is superior to another but only to determine that a bidder's offering is acceptable as set forth in the request for bids. Any bidder's offering which does not meet the acceptability requirements will be rejected.
- 13.3 Determination of Lowest Bid - Bids will be evaluated to determine overall economy for the intended use, in accordance with the evaluation criteria set forth in the request for bids. Examples of such criteria include: transportation cost, energy cost, ownership and other identifiable costs or life cycle cost formula. Evaluation factors need not be precise predictors of actual future costs but to the extent possible such evaluation factors will:
 - 13.3.1 Be reasonable based upon information the county has available concerning future use; and
 - 13.3.2 Treat all bids equitably
- 13.4 Only One Bid or Proposal Received - If only one responsive bid is received in response to a request for bids, an award may be made to the single bidder if the purchasing agent finds that the price submitted is fair and reasonable, that other prospective bidders had reasonable opportunity to bid, and that the bids were not restrictive. Otherwise, the bid may be rejected and:
 - 13.4.1 New bids or offers may be solicited to allow for more competition on this product or service; or
 - 13.4.2 The proposed procurement may be canceled.
- 13.5 Other considerations in Evaluation - After opening bids, Contracts and

Procurement may refer bids to the using agency for its review and recommendations to assist in making the correct award. During the period of evaluation, possession of bids and accompanying information is limited to personnel of Contracts and Procurement and the using agency who are responsible for participating in the evaluation. Vendor may be asked for further information or equipment physical or performance specifications, or clarification of bid, during the evaluation process, provided that such additional information is needed to determine the lowest responsive and responsible bidder, best value bidder, or in the appropriate instance, the highest responsible and responsive bidder and does not affect price, quality, etc.

14.0 Tie Bids

- 14.1 Award - Award will be made by drawing lots by the Division of Contracts and Procurement or by dividing business among tied bidders. If there is a tie bid where one of the vendors qualifies for a Preference, then the award shall be made to the vendor that qualifies for the most Preferences; if the tied vendors qualify for the same amount of Preferences the award shall be made by drawing lots by the Division of Contracts and Procurement or by dividing business among tied bidders.

15.0 Vendor Selection

- 15.1 Selection - the Division of Contracts and Procurement will pursue vendors who are capable of providing goods and services to the county. Attention will be given to ensure that specifications promote maximum competition without reducing the quality received. New prospective suppliers may be found in a wide range of sources.
- 15.2 Non-conformance - Instances of non-conformance with specifications, with contractual terms and conditions, or other types of complaints concerning suppliers should be recorded to deal with poor performing suppliers. Complaints signaling poor performance are a basis for withholding payment and/or possible debarment as a future supplier. Complaints against vendors shall be in writing and note all deficiencies. The Division of Contracts and Procurement will contact the supplier regarding a complaint. The vendor will be asked to respond in writing to the purchasing agent on what corrective action has or will be taken. Matters such as failure to meet delivery dates, failure to meet specifications, and failure to meet promises should be documented in the form of written reports.

16.0 Documentation

Sufficient records should be kept to allow reconstruction of a decision at a later date. Good records are valuable for efficient operation of the division.

- 16.1 Sole source- Any agencies requesting approval of an award of a contract (or purchase order) based up on a "sole source" will document why that vendor is the only source of supply for the item or service. Also the request will include an

explanation as to why no other item or service would be suitable to meet the county's needs. Each request will be reviewed by the purchasing agent or his designee on a case by case basis. Cost of items or delivery time will not be considered as a sole source criteria except in the case of unreasonable transitional costs as defined in county ordinance.

- 16.2 Exigency - There will be documentation which will "reflect that the need was compelling and of unusual urgency" and "the county would be seriously injured, financially or otherwise," Also, how the selection of the vendor or contractor was made. If there is sufficient time, buyers shall expedite some type of competitive procedure to ensure that the purchase is made on a competitive basis to the maximum practical extent.
- 16.3 Emergency Procurement – Emergency conditions as defined under Ordinance 3.20.040 require a "written determination of the basis for the emergency and for the selection of the particular contractor." The documentation will include:
 - 16.3.1 The Contractor's (vendor) name
 - 16.3.2 The amount and type of contract
 - 16.3.3 A listing of the supplies, services or construction procured under this condition.
- 16.4 Non-responsive bids - In any case where a determination to award a bid other than the low bid, or high bid if appropriate, there must be a written determination containing all information, including reason for awarding a bid other than the low bid or high bid, if appropriate.

17.0 Request for Contracts

- 17.1 Contracting for goods and services is an accepted way of buying what is widely used in the county. Contracts may be initiated by a Request for Bids with Resulting Contract (RFC), vendor-prepared contract, formal written contract or any other legal and lawful means provided by ordinance.
- 17.2 In order for a purchasing contract to be beneficial, two conditions should be considered:
 - 17.2.1 The annual dollar volume should exceed fifty thousand dollars (\$50,000).
 - 17.2.2 The frequency of purchases should exceed twenty (20) per year.
- 17.3 Options to renew a contract shall be explained in the request for bids and will be for the same contract term and conditions. Normal options would be for an initial period with the renewal options as stated in the RFC. The county desires to take advantage of all price decreases during the contract period. Where market prices are decreasing, the vendor may pass the lower prices on to the county at the same

discount rate contained in the contract. If the vendor is unwilling to provide the lower prices to the county, the contract should not be renewed. After all renewals have been exercised, the county shall have the right to extend an agreement for a period not to exceed six months for the purpose of re-bidding the contract. In the event that an agreement is materially affected by changes to Medicaid funding and requirements, after all renewals have been exercised, the county shall have the right to extend an agreement for a period not to exceed twelve months for the purpose of re-bidding the contract.

- 17.4 Selected contracts may provide for price adjustment under the contract terms and under certain stated conditions. The contract may provide an initial period during which the bid prices must remain firm against any increase, usually six (6) to twelve (12) months. Any requests for a price increase from the vendor should be submitted in writing and include justification for such increase. Justification for a price increase should be linked to an independent index or indicator not controlled by either the county or the seller. Suppliers must submit necessary data supporting a request for price increase. Price increases may be awarded at the county's sole discretion.
- 17.5 Contracts may be awarded to more than one vendor for like goods or services. Comparisons and other purchasing evaluation factors will be placed in the agency file and shall detail which product is the most advantageous for the county. Factors to take into consideration, in addition to price could be availability, delivery requirements, service, product compatibility, etc.
- 17.6 Information on contracts for goods and services will be available to all county agencies. Contracts may permit an unlimited number of purchases to be made of a particular good or service for a definite period of time at the contract price.

18.0 Protest and Appeal

From time to time individuals or companies will feel that they did not get a fair analysis of their bid or offer. Only those protests received in writing and in a timely manner will be acted upon by the Division of Contracts and Procurement. Either the mayor or the purchasing agent will investigate the claim and immediately notify the attorney. While the mayor or the purchasing agent is investigating the protest, the order will be placed on hold and the vendor in which the order was placed will be notified to halt any further action. Protests may be referred to the attorney for review. If the protest is concerning the specification used and if the bids have not been opened at the time the protest is received, all bids will be held unopened and the purchasing agent or his designee will investigate the specifications. If the specifications are found not to be restrictive, the bids may be opened and the purchase order may be awarded.

19.0 Debarment or Suspension

- 19.1 Performance standard matters such as failure to meet delivery dates, failure to meet specifications, and failure to keep promises should be documented in the

form of written reports by the using agency and by sending copies of complaints to the vendors in question.

- 19.2 After consultation with the attorney, the purchasing agent can suspend a vendor from consideration for award of contracts, if there is reasonable suspicion that the person has engaged in any activity that might lead to debarment. The suspension will not be for a period exceeding six months.
- 19.3 After reasonable notice to the vendor involved and reasonable opportunity for that person to be heard, the purchasing agent, after consulting with the attorney, is authorized to debar a vendor for cause, from consideration for award of contracts. The debarment will not be for a period of more than three years. The causes for debarment include:
 - 19.3.1 Conviction for commission of a criminal offense as an incident to obtaining or attempting to obtain a public or private contract, subcontract, or in the performance of a contract or subcontract.
 - 19.3.2 Conviction under state and federal statutes of embezzlement, theft, forgery, bribery, falsification or destruction of records, receiving stolen property, or any other offense indicating a lack of business integrity or business honesty which currently, seriously and directly affects his ability to perform as a county contractor.
 - 19.3.3 Conviction under State or Federal antitrust statutes.
 - 19.3.4 Violation of contracts provisions, of a nature regarded by the purchasing agent to be serious enough to justify debarment action.
 - 19.3.5 Failure, without just cause, to perform in accordance with the terms of the contract.
 - 19.3.6 Any other cause that the purchasing agent reasonably determines to be as serious and compelling as to affect responsibility, as a vendor including debarment by another governmental entity.
 - 19.3.7 Violation of the ethical standards set forth in this policy or state law and county ordinance.
 - 19.3.8 Lack of experience or prior performance of work not acceptable to the county.
 - 19.3.9 Intentional misstatement and/or misrepresentation to obtain a preference offered under this policy.
- 19.4 When debarment is justified, the purchasing agent will inform the vendor in writing. A vendor may be reinstated only on evidence that the problems that caused debarment have been corrected and only after a three (3) month

suspension period.

19.5 The debarment decision may be appealed through the Mayor.

20.0 Preference System in Procurement under this Policy

20.1 It is the policy of the county to award contracts for goods and services based upon a Preference System that encourages responsible business practices.

20.2 The Health Care Preference shall accrue to vendors who currently provide and will maintain the following through the term of the contract with the county:

20.2.1 A health benefit plan, as defined by Utah law, made available to the vendor's covered employees and their dependents.

20.3 The Veterans and Companywide Hiring Preferences shall accrue to vendors who currently provide and will maintain all of the following through the term of the contract with the county:

20.3.1 For veterans:

20.3.1.1 A completed and signed certificate explaining its program to actively recruit and employ veterans that includes the success rate of its program by listing the percentage of its workforce that qualifies as veterans under this policy.

20.3.1.2 A completed and signed certificate verifying that a vendor has employed, and is currently employing, at least one veteran under its recruitment program.

20.3.2 Companywide:

20.3.2.1 A drug and alcohol testing policy that applies to all covered individuals employed or hired by the vendor and requires covered individuals to submit to random testing;

20.3.2.2 A job training program recognized by a federal, state, or local governmental entity;

20.3.2.3 A job safety program that complies with job safety and health standards of the Occupation and Safety Health Administration (OSHA) or the state standards which are at least as effective as the federal standards.

20.4 The Purchasing Agent shall apply the Preference System to procurements under this Policy as follows:

20.4.1 An award shall be made to the responsive and responsible vendor that

qualifies for the most Preferences, if the qualifying vendor's bid is equal to or less than 104% of the lowest responsive and responsible bid or within \$50,000, whichever value is less. If multiple vendors qualify for the same number of Preferences, the award shall be made to the lowest responsive and responsible bid submitted among them.

21.0 Best Value Bidding

- 21.1 Purpose - The purpose of best value bidding is to allow factors in addition to price to be considered in the determination of award for specific goods or services based on pre-determined criteria identified by the county.
- 21.2 Conditions for use – best value bidding may be used to enter into a purchase order or contract with the approval of the purchasing agent “best value bidding” must be provided by the county agency or buyer.
- 21.3 Evaluation Factors - The best value bid specifications shall state the factors to be used in determination of award and the numerical weighting for each factor. Cost must be a factor in determination of award and cannot be weighted at less than fifty percent (50%). Best value bid evaluation factors may include any of the following as recommended by the county agency and approved by the purchasing agent: 1) past performance, 2) trade-in considerations, 3) life span, 4) warranty considerations, 5) environmental and energy efficiency considerations, 6) delivery terms, 7) experience, 8) life cycle costs, 9) references. Final approval of the evaluation factors shall be made by the purchasing agent or designee prior to release.
 - 21.3.1 A best value bidder who qualifies for a Preference shall receive a bonus of two percent (2%) of the total points available added to the total score for each Preference.
 - 21.3.2 The relevant factors that make up the evaluation criteria for a best value bid must be properly and clearly communicated to the vendors. The rating factors must be objective and quantifiable criteria, which can be clearly communicated to all bidders. The bid will include the scoring evaluation system to award the contract/purchase order and how the points will be awarded.
 - 21.3.3 Industry benchmark data will be collected by the using agency so that the data used to evaluate the criteria for best value is well documented to explain the decision-making process. Sources of reliable data for evaluation shall be included with the data.
 - 21.3.4 The purchasing or contract file must be documented by a reasoned explanation as to why one offeror's features are preferred at the price proposed over another proposal. Evaluation must be reasonable and must bear a rational relationship to the evaluation criteria.
 - 21.3.5 Discussion may be conducted with apparent responsive bidders to assure

understanding of the best value bid. Discussions will be conducted by the Division of Contracts and Procurement along with the requesting agency. Bids shall be evaluated by using only the criteria stated in the best value bid and by adhering to the weighting as assigned. All evaluation factors, other than cost, will be considered prior to determining the effect of cost on the score for each participation bidder. Award will be made to the responsive and responsible bidder, whose bid is determined, in writing, to be most advantageous to the county, taking into consideration all evaluation factors set forth in the best value bid.

- 21.4 Award - Award will be made to the responsive and responsible bidder, whose bid is determined, in writing, to have the highest best value score. The contract file shall contain the basis on which the award is made.

22.0 Request for bids for reverse auction

- 22.1 The reverse auction bidding process begins when the purchasing agent issues an invitation for bids to bidders to participate in the reverse auction.
- 22.2 The invitation for bids shall:
- (a) State the period of time during which bids will be accepted;
 - (b) State that the bid will be conducted by reverse auction;
 - (c) Describe the procurement items sought;
 - (d) Describe the minimum requirements to participate;
 - (e) State the required contractual terms and conditions; and
 - (f) Describe the procedure that the purchasing agent will follow in conducting the reverse auction.
- 22.3 In order to participate in a reverse auction, a bidder shall agree to:
- (a) The specifications, and contractual terms and conditions, of the procurement; and
 - (b) Be trained in, and abide by, the procedure that the purchasing agent will follow in conducting the reverse auction.
- 22.4 The purchasing agent shall publish an invitation for bids for a reverse auction in accordance with the requirements of Section 3.20.020.

APPROVED and PASSED this _____ day of _____, 2018.

SALT LAKE COUNTY COUNCIL:

By: _____

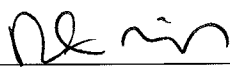
Aimee Winder Newton, Chair

Date: _____

ATTEST:

 Sherrie Swensen
 Salt Lake County Clerk

APPROVED AS TO FORM:



 Adam Miller
 Deputy District Attorney
 Date: 17 Jan 2018

Council Member Bradley voting	_____
Council Member Bradshaw voting	_____
Council Member Burdick voting	_____
Council Member DeBry voting	_____
Council Member Granato voting	_____
Council Member Jensen voting	_____
Council Member Newton voting	_____
Council Member Snelgrove voting	_____
Council Member Wilson voting	_____

SALT LAKE COUNTY ORDINANCE

ORDINANCE NO. _____, 2018

AN ORDINANCE OF THE LEGISLATIVE BODY OF SALT LAKE COUNTY, UTAH, AMENDING SECTIONS 3.15.010, 3.20.030, 3.24.010 AND 3.24.002 OF THE SALT LAKE COUNTY CODE OF ORDINANCES, 2001, RELATING TO SMALL COST PURCHASING AND THE LOCAL BUSINESS PREFERENCE.

The County Legislative Body of Salt Lake County ordains as follows:

SECTION I. The amendments made herein are designated by underlining the new substituted words. Words being deleted are designated by brackets and interlineations.

SECTION II. Section 3.15.010 of the Salt Lake County Code of Ordinances, 2001, is amended to read as follows:

3.15.010 - Definitions

As used in Chapters 3.16 through 3.28:

“Agency” means a separate and distinct unit of county government, which has its own budget. It may also be used to refer to an elected official, department, division or section.

“Approved as to form” means that the county may lawfully enter into the proposed contract.

“Attorney” means the county district attorney and the district attorney's office.

“Award” means the approval for final procurement by the mayor or other authority.

“Best value bid” means the selection process for goods or services based on pre-determined criteria identified by the county in which objective qualitative factors along with price are considered.

“Bidder” means any person submitting a competitive bid in response to a request for bids or request for bids and resulting contract by the county.

“Bid” means an offer submitted by a bidder in response to a request for bids or request for bids and resulting contract by the county.

“Bilateral contract” is a written agreement [~~between the county and a provider of goods or services,~~] which is signed by both parties.

“Cardholder” means the county employee issued a purchasing card or proprietary /charge card. The cardholder's name appears on the card.

“Claim” means (i) a demand presented for money or damages; or (ii) a cause of action presented for money or damages. “Claim” does not mean a routine, uncontested, or regular payment, including a bill, purchase, or payroll.

“Committee” means the RFP selection committee established by county ordinance and policy for the review of proposals.

“Contract” means a legally binding agreement [~~between the county and a supplier to buy or sell goods or services. This may be in the form of a purchase order~~].

“Cooperative agreement” means an agreement resulting from a competitive solicitation by one or more public purchasing agencies or association of public purchasing agencies that allows other public purchasing agencies, such as the county, to procure goods or services according to the agreement.

“Cooperative procurement” means procurements conducted by, or on behalf of, two or more public purchasing agencies to procure from the same supplier or multiple suppliers using a single solicitation to bid or request for proposal in order to obtain advantages of volume procurement discounts, administrative savings and other benefits.

“Council” means the Salt Lake County Council.

“County” means Salt Lake County.

“Countywide contract” means a contract available for use by all county agencies for goods or services [~~repeatedly purchased~~].

“Electronic copy” means a solicitation or document received electronically through the county's designated system.

“Emergency” means there is a threat to public health, welfare, or safety. The existence of such an emergency creates an immediate and serious need for goods or services that precludes full and open competitive procurement.

“Emergency procurement” means a situation which creates a threat to public health, welfare or safety such as may arise by reason of floods, epidemics, riots, equipment failures, earthquakes, or other reason as proclaimed by the mayor. The existence of such conditions must seriously threaten:

- (1) The functioning of county government;
- (2) The preservation or protection of property; or
- (3) The health or safety of any person.

“Equal, or equal” means a phrase used to indicate the acceptability of goods of similar or superior function, purpose, design, or performance.

“Exigency” means the need for goods or services is of such an unusual and compelling urgency that the county would be seriously injured unless the county is permitted to preclude full and open competitive procurement.

“Exigency procurement” means procurement under an exigency.

“Expedited request for proposals” means a selection pursuant to the expedited procedures in Section 3.22.100. The cost limit for an expedited request for proposals is fifty thousand dollars.

“Formal advertised solicitation” means a solicitation for bids or proposals issued by the county for procurements greater than fifty thousand dollars formally advertised to vendors, service providers, or contractors for their response.

“GRAMA” means the Utah Government Records Access and Management Act, as defined by Utah law.

“Health care preference” means the preference granted to a vendor who currently has and will maintain the following through the term of the contract with the county: a health benefit plan, as defined by Utah law, made available to the vendor's covered employees and their dependents.

“Interlocal agreement” means those agreements authorized by the Interlocal Cooperation Act, as defined by Utah law.

~~“Local business preference” means the preference granted to a vendor who currently has and will maintain all of the following through the term of the contract with the county:~~

- ~~(1) — A completed and signed local certification form, which includes a street address within the county that is not a post office box; and~~
- ~~(2) — A copy of a current business license issued by the county or any city within the boundaries of the county.]~~

“Master agreement” means a procurement agreement established to permit county agencies to utilize the same underlying state contract or cooperative agreement for repetitive purchases. There is no maximum cost per transaction.

“Mayor” means the elected chief executive officer of the county or designee, unless a designation is prohibited by ordinance or statute.

“Mayor's financial administration (MFA)” means the office of financial administration

under the mayor's office, including the divisions within the office of accounting, fixed and controlled assets, and budget.

“Multiple-award contract” means a contract awarded to more than one vendor for similar goods or services.

“Non-capitalized item” means a single asset with a unit cost less than the established capitalized limit.

“Official copy” means the copy of the contract kept in accordance with GRAMA.

“Preference system” means a system that encourages responsible business practices and benefits local businesses by granting preferences in procurement.

“Procurement” means the buying, purchasing, or acquisition of goods or services and all related acquisition processes.

“Professional service” means labor, effort, or work that requires an elevated degree of specialized knowledge and discretion, including but not limited to labor, effort, or work in the field of:

- (1) Accounting;
- (2) Architecture;
- (3) Construction design and management;
- (4) Engineering;
- (5) Financial services;
- (6) Information technology;
- (7) The law;
- (8) Medicine;
- (9) Psychiatry; or

(10) Underwriting.

“Proposal” means a response to a request for proposals.

“Proposer” means any person submitting a proposal in response to a request for proposals by the county.

“Purchase orders (PO)” means a binding contract, which is used to accept the offer of a vendor to provide goods or services. The division of contracts and procurement is authorized to issue purchase orders.

“Purchasing agent” means the director of the division of contracts and procurement. The mayor, by executive order, will designate the purchasing agent's signing authority.

“Purchasing card” means a charge card issued to an employee of the county for the purpose of making authorized purchases on behalf of the county.

“Purchasing card program administrator” means the employee assigned to oversee the purchasing card program for the county.

“Quote” means pricing for goods or services informally solicited from a vendor, provider or contractor.

“Request for bids (RFB)” means a solicitation for goods or services where price is the primary consideration.

“Request for bids and resulting contract (RFC)” means a RFB that includes a written description of goods or services required by the county to be purchased repetitively during a specified contract term. This document, with all supporting terms, conditions, and specifications, and signed by the authorized county agent, becomes a written contract.

“Request for proposals (RFP)” means a solicitation for proposals when price is just one of several criteria necessary to make a decision and thus awarding the contract to the lowest

responsive and responsible bidder is not necessarily advantageous to the county.

“Request for qualifications (RFQ)” means a solicitation to receive a statement of qualifications.

“Responsible proposer or bidder” means a person or company who has the ability to perform in full the contract requirements, as well as the integrity and reliability that will assure good faith performance.

“Responsive proposer or bidder” means a person or company whose bid or proposal conforms in all material respects to the terms and conditions required by the county in the formal advertised solicitation.

“Sealed bid” means paper bids in sealed envelopes or bids received electronically through the county's designated system.

“Sealed proposal” means paper proposals in sealed envelopes or proposals received electronically through the county's designated system.

“Service contract” means any contract entered into by the county with a vendor for the furnishing of services to or for the county utilizing the vendor's employees to provide the services. A “service contract” may include the purchase of goods along with the providing of services.

“Signing authority” means the authority to sign contracts on behalf of the county as designated by the mayor or set forth in ordinance.

“Small cost blanket” means a purchase order that is issued in response to ongoing purchases made during a specific period of time to a single vendor under which a county agency may release payments for small cost purchases. Without the use of a small cost blanket, those ongoing goods and services would require the issuance of a purchase order for each and every

invoice received.

“Small cost purchases” means purchases of goods or services having a cost up to [~~five thousand dollars~~] and including the micro-purchase threshold set by the Federal Acquisition Regulation at 48 CFR Subpart 2.1 (Definitions).

“Sole source procurement” means a procurement where the purchasing agent has justified in writing why a good or service is only reasonably available from a single supplier.

“Solicitation” means any request by the county for vendors to offer bids, quotes, or proposals.

“Specification” means a description of what the purchaser seeks to buy and, consequently, what a bidder or proposer must be responsive to in order to be considered for the award of a contract.

“Standard form contract” means a contract approved by the attorney pursuant to 3.28.020(D).

“Standardization” means the procurement of goods or services by the county to assure consistency of equipment and interchangeability or integration of goods or services which may require procurement without competition pursuant to Section 3.20.030(A)(5).

“State contract” means [~~term~~] contracts established by the state of Utah[~~, for goods or services procured by~~] and made available for use by state agencies and other political subdivisions of the state.

“Tie bids” means the low responsive bids from responsible bidders that are identical in price, delivery, and payment terms.

“Transitional costs” mean the costs of changing from an existing provider of, or type of, a procurement item to another provider of, or type of, procurement item. “Transitional costs”

include: training costs; conversion costs; compatibility costs; system downtime; disruption of service; staff time necessary to put the transition into effect; installation costs; and ancillary software, hardware, equipment, or construction costs. “Transitional costs” do not include: the costs of preparing for or engaging in a procurement process; or contract negotiation or contract drafting costs.

“Vendor” means a person or company selling goods or services.

“Veteran” means a current or former member of the United States Armed Forces who is currently in good standing or has been honorably discharged and meets one of the following criteria:

- (1) Active duty service for at least one hundred eighty (180) consecutive days;
- (2) Reserve service in a campaign or expedition for which a campaign medal has been authorized; or
- (3) Service-related injury or disability incurred in the line of duty.

“Veterans hiring preference” means the preference granted to a vendor who currently has and will maintain all of the following through the term of the contract with the county:

- (1) A completed and signed certificate explaining its program to actively recruit and employ veterans that includes the success rate of its program by listing the percentage of its workforce that qualifies as veterans under this policy;
- (2) A completed and signed certificate verifying that a vendor has employed, and is currently employing, at least one veteran under its recruitment program;
- (3) A drug and alcohol testing policy that applies to all covered individuals employed or hired by the vendor and requires covered individuals to submit to random testing;

- (4) A job training program recognized by a federal, state, or local governmental entity; and
- (5) Job safety program that complies with job safety and health standards of the Occupation and Safety Health Administration (OSHA) or the state standards which are at least as effective as the federal standards.

SECTION III. Section 3.20.030 of the Salt Lake County Code of Ordinances, 2001, is amended to read as follows:

3.20.030 - Procurements not requiring competitive procurement.

A. All procurements shall be made by a request for bids, quotes or proposals, as provided in these ordinances, except the following circumstances do not require competitive procurement:

1. For purchases of goods and services under current contracts made available by governmental entities including federal, state, and local governmental entities, or by associations of governmental entities, where the goods or services were competitively procured by the governmental entity or the association in a manner substantially compliant with the provision of these ordinances, and the vendor is willing to extend the county the same or more favorable prices, terms, or conditions as established in, and within the scope of, the underlying agreement;
2. For real property, goods, or services related to construction of a public improvement project; which have been solicited via a formal advertised request for bids, but which the Purchasing Agent determines the bid prices are not reasonable and exceed the estimated construction cost by an

unacceptable amount.

3. Exigency or emergency will not tolerate the delay incident to the formal advertising for a request for bids;
4. The aggregate amount involved does not exceed the small cost limit;
5. For a sole source procurement.
 - a. The determination as to whether a procurement shall be made as a sole source shall be made by the Purchasing Agent. Any agency request for a procurement to be restricted to one vendor shall be made in writing and accompanied by a sole source justification. The Purchasing Agent may specify the application of the determination and its duration. In cases of reasonable doubt, competition shall be solicited. Examples of circumstances which may necessitate sole source procurement are:
 - i. Where the most important consideration in obtaining a procurement item is the standardization or compatibility of equipment, materials, technology, software, accessories, replacement parts, or service;
 - ii. Where transitional costs are unreasonable or cost prohibitive;
 - iii. Where a procurement item is needed for trial use or testing;
 - b. Public notice for sole source procurements exceeding the formal advertised solicitation limit shall be given by the Purchasing Agent. The notice shall be published at least seven calendar days in

advance of when responses must be received. The notice shall contain a brief statement of the proposed procurement, the proposed sole source supplier and the sole source justification. The notice shall invite comments regarding the proposed sole source and provide for a closing date for comments. The Purchasing Agent shall consider the comments received before proceeding with the sole source procurement.

6. Procurements that by their nature are not adapted to award by competitive procurement, such as:
 - a. Legal services or expert witnesses requested by the mayor, the council or the attorney or when the services of a medical doctor or dentist are requested by the attorney in conjunction with criminal or civil litigation, or requested by the sheriff or the human services department director, but the acquisition of legal services shall be governed by Chapter 2.09 of these ordinances;
 - b. The publication of legal notices, ordinances, resolutions, and other legal advertising;
 - c. The private placement of bonds, tax anticipation notes, or other instruments of indebtedness;
 - d. Utility services such as water, electricity, heat, and telephone, except when alternative supplies or services are available;
 - e. ~~[The purchase of]~~ Dues and membership fees, non-software subscriptions, media ~~[advertisement]~~ advertising, magazines,

books, trade journals, reference works, periodicals, examination or testing materials, and similar articles of an educational, informational or instructional nature. This subsection does not apply to right to use software and right to use licenses that some providers may describe as a software subscription;

- f. Goods, materials, supplies and services utilized by the County clerk for purposes of performing the duties of the County clerk with regards to elections;
 - g. Medicines or medical supplies, which are not generic in nature;
 - h. Goods and supplies purchased for authorized resale;
 - i. Perishable or nonperishable subsistence supplies;
 - j. ~~[The purchase of law]~~ Law enforcement service animals specially trained to assist law enforcement officers in the performance of law enforcement duties;
 - k. ~~[The procurement of a]~~ A person or entity to provide a speech, lecture, or performance;
 - l. ~~[Engaging the services of recreational]~~ Recreational program instructors resulting in recreational program agreements executed pursuant to County Ordinance Sec. 3.28.020(E) provided that the Division of Parks and Recreation adopt and follow a policy and procedure by which the recreational program instructors are selected.
7. Personal property or services, other than those outlined in subsection

(A)(6), as the mayor may, upon the recommendation of the purchasing agent, determine to be, by their nature, not adapted to competitive procurement provided that these procurements be publically noticed as set forth in 3.20.030(A)(5)(b).

8. Otherwise procurements authorized or prescribed by law.

B. In negotiating purchase orders and other contracts for the above-referenced categories of personal property or services, the Purchasing Agent, using agencies or such other person or committee as may be designated by the Mayor, shall ensure that:

1. All aspects of the business transaction are fully resolved, to include price, delivery date, delivery terms, acceptance period, warranties, funding terms, and such other terms and conditions as are appropriate;
2. The file reflects price or cost analysis or such other evidence of reasonable pricing and other information concerning contract or award matters as will reasonably support entering into a contract with a vendor;
3. All files relating to the award of a contract based upon public exigency reflect that the need was compelling and of unusual urgency, as when the County would be seriously injured, financially or otherwise, if the personal property or services to be purchased or contracted for were not furnished by a certain time, and when they could not be procured by that time by means of formal advertising. This applies irrespective of whether that urgency could or should have been foreseen;
4. The purchasing agent must justify in writing why the award of a contract based upon sole source is appropriate; and

5. Prior to submission of a bilateral contract to the Mayor or designee for execution, the contract shall be reviewed and approved by the agency acquiring the personal property or services and by such other agencies as may be specified by ordinance, and approved as to form by the Attorney.

C. Negotiated procurement shall be on a competitive basis to the maximum practical extent. When a proposed procurement appears to be noncompetitive, the Purchasing Agent is responsible not only for ensuring that competitive procurement is not feasible, but also for acting whenever possible to avoid the need for subsequent noncompetitive procurement.

D. In the event bids for a construction project exceed available funds and the low responsive and responsible bid does not exceed such funds by more than twenty-five percent, the Purchasing Agent or agent's designee is authorized in situations where time or economic considerations preclude re-solicitation of work of a reduced scope, to negotiate an adjustment of the bid price, including changes in the bid requirements, with the low responsive and responsible bidder, in order to bring the bid within the amount of available funds, not to exceed a final contract amount of two hundred thousand dollars.

E. This chapter shall not apply to the acquisition of personnel pursuant to the provisions of the County Personnel Management Act, as defined by Utah law, nor shall this chapter be applicable to the granting or issuance, pursuant to powers conferred by laws, ordinances or resolutions, of franchises, licenses, permits or other authorizations by the council, or by other agencies of the County. This chapter shall not be construed as authorizing the waiver of competitive bidding when such bidding is required by the provisions of any federal or state grant or relevant federal or state statute or regulation.

F. No purchase order or other contract greater than the Purchasing Agent's limit may

be awarded pursuant to this section except by the Mayor or designee, unless it arises pursuant to the provisions of subsection (A)(7) of this section, in which event the Purchasing Agent may award the purchase order or other contract subject to the ratification of the Mayor. The Purchasing Agent will maintain in a file a document explaining in detail why a purchase order or contract has not been bid and identifying the specific provision of this section which exempts the purchase order or other contract from the bidding requirement. Any procurement without competitive acquisition shall also include a statement from the acquiring agency explaining the recommendation for acquisition.

SECTION IV. Section 3.24.010 of the Salt Lake County Code of Ordinances, 2001, is amended to read as follows:

3.24.010 - Policy of the county.

It is the policy of the county to award contracts for goods or services based upon a preference system that encourages responsible business practices [~~and that benefits local businesses~~].

SECTION V. Section 3.24.020 of the Salt Lake County Code of Ordinances, 2001, is amended to read as follows:

3.24.020 - Preference system.

A. The county shall grant the following preferences as provided by this chapter and by countywide policies and procedures:

1. The health care preference; and
- ~~[2. The local business preference; and]~~
- ~~[3.]~~ 2. The veterans hiring preference.

B. The purchasing agent shall determine if the vendor qualifies for the preference(s).

The burden is on the vendor to demonstrate that it qualifies for the preference(s).

SECTION VI. This ordinance shall become effective fifteen (15) days after its passage and upon at least one publication of the ordinance or a summary thereof in a newspaper published and having general circulation in Salt Lake County.

APPROVED and ADOPTED this ____ day of _____, 2018.

SALT LAKE COUNTY COUNCIL:

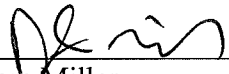
By: _____
Aimee Winder Newton, Chair

Date: _____

ATTEST:

Sherrie Swensen
Salt Lake County Clerk

APPROVED AS TO FORM:



Adam Miller
Deputy District Attorney
Date: 17 Jan 2018

Council Member Bradley voting	_____
Council Member Bradshaw voting	_____
Council Member Burdick voting	_____
Council Member DeBry voting	_____
Council Member Granato voting	_____
Council Member Jensen voting	_____
Council Member Newton voting	_____
Council Member Snelgrove voting	_____
Council Member Wilson voting	_____

VETOED and DATED this ____ day of _____, 2018.

By: _____
Ben McAdams, Mayor

(Complete As Applicable)

Veto override: Yes _____ No _____ Date _____

Ordinance published in newspaper: Date _____

Effective date of ordinance: _____

SUMMARY OF

SALT LAKE COUNTY ORDINANCE NO. _____

On the _____ day of _____, 2018, the County Council of Salt Lake County adopted Ordinance No. _____, which amends sections 3.15.010, 3.20.030, 3.24.010 and 3.24.020 of the Salt Lake County Code of Ordinances, 2001. The amendment modifies provisions related to small cost purchasing and the local business preference, and makes technical changes.

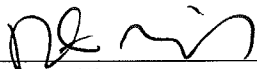
SALT LAKE COUNTY COUNCIL:

By: _____
Aimee Winder Newton, Chair
Date: _____

ATTEST:

Sherrie Swensen
Salt Lake County Clerk

APPROVED AS TO FORM:



Adam Miller
Deputy District Attorney
Date: 17 Jan 2018

Council Member Bradley voting	_____
Council Member Bradshaw voting	_____
Council Member Burdick voting	_____
Council Member DeBry voting	_____
Council Member Granato voting	_____
Council Member Jensen voting	_____
Council Member Newton voting	_____
Council Member Snelgrove voting	_____
Council Member Wilson voting	_____

A complete copy of Ordinance No. _____ is available in the office of the Salt Lake County Clerk, 2001 South State Street, N2-100A, Salt Lake City, Utah.

SALT LAKE COUNTY
COUNTY-WIDE POLICY
ON
**DIVISION OF CONTRACTS AND PROCUREMENT
REQUEST FOR PROPOSALS (RFP)**

Reference—

Salt Lake County Ordinance Chapters 3.15, 3.16, 3.20, 3.22, and 3.24.

Purpose—

This policy is to establish standards and guidelines for the procurement of various services, products, or combination thereof including, but not limited to, design services, professional services, consultant services, and complex technology equipment and systems within the county by the use of a request for proposals (RFP). This policy will establish policies and procedures for RFPs as authorized by County ordinances and provide for a uniform and consistent format to be used in RFPs.

1.0 Introduction

RFPs are usually used for contracting for professional services, consulting services, or complex technology services and equipment. Section 13.0 of this policy sets forth the procedure for the expedited RFP allowed in County Ordinance 3.22.00.

2.0 Policy

2.1 RFPs are used principally in procurement where competitive bids are not practicable or advantageous to use. RFPs permit discussion with competing proposers and allow comparative judgmental evaluations when selecting among a number of proposers. Contracts are awarded to proposers whose proposals are found to be the most advantageous to the county. The purpose of this policy is to provide specific guidelines for the use of all RFPs in the procurement of supplies or services for county agencies. These requirements do not apply to deposit and investment-related transactions that are subject to the Utah Money Management Act or to the issuance, retirement or refund of county debt, which is subject to the Utah Municipal Bond Act. Contracts and Procurement will maintain a format to be used by all county agencies in drafting their RFP.

3.0 Approvals

3.1 The request for proposals procedure may be used with consent of the purchasing agent or designee. The determination to utilize the RFP process will be based upon one or more of the following factors:

3.1.1 When the county has identified a county need and requests the proposers to propose the best method for accomplishing it.

- 3.1.2 When the purchasing agent or designee determines that the use of competitive sealed bids is either not practicable or not advantageous to the county, and when multiple criteria in determining the award and negotiations may be necessary.
- 3.1.3 Other factors may be used for the determination as deemed appropriate by Contracts and Procurement. The requesting agency must submit information sufficiently detailed for Contracts and Procurement to make a determination that the services or product(s) should be acquired through the RFP process.
- 3.2 When Contracts and Procurement determines that the RFP process will be used, the requesting agency shall provide an RFP development document or prepare a draft of the RFP document that addresses the following elements:
 - 3.2.1 Scope of Work and Requirements: description of the scope of work and minimum requirements of the service, product, or product with service being requested.
 - 3.2.2 Time Frames of Work to be Performed: when the project will start and time period to complete the work.
 - 3.2.3 Scoring Criteria: all of the evaluation factors and their relative importance, including price.
 - 3.2.4 Funding: appropriated funds, or the funding plan for the services or products being requested.
- 3.3 Contracts and Procurement shall complete the RFP document and send it to the elected official or department director for approval. The elected official or department director or their designee shall review and approve the RFP within seven calendar days of receiving the RFP. Contracts and Procurement may release the RFP to the public only upon approval of the elected official or department director or their designee.
- 3.4 The District Attorney's Office shall review the RFP document if requested by the purchasing agent, elected official, department director, division director, or county agency representative within seven calendar days of receiving the RFP.
- 3.5 The RFP document will be sent by Contracts and Procurement to notify the following upon release of the RFP, as required:
 - 3.5.1 Agency division director.
 - 3.5.2 The elected official or department director.

3.5.3 For capital improvement projects, the capital improvement committee chair.

3.5.4 The Attorney.

3.5.6 The Mayor or Designee.

4.0 Procedure

The requesting agency must submit to Contracts and Procurement all of the requirements containing all applicable elements of the request for proposals as noted in Sections 3.0 through 5.0 of this policy.

4.1 Administrative Procedures: the requesting agency will provide to the Division of Contracts and Procurement a schedule, which shall include:

4.1.1 Pre-proposal Conference: the purpose of such a conference is answer questions related to the services/project. The conference is optional unless the purchasing agent deems it mandatory. A list of all participants who attended in person will be maintained by Contracts and Procurement. Contracts and Procurement will conduct this conference.

4.1.2 Proposal Closing Date: the date should be no earlier than twenty (20) calendar days from the date of issue. Additional time should be allowed dependent upon the complexity of the RFP. If there is an urgent need, the purchasing agent may authorize shortening the response time.

4.1.3 List of Potential Proposers if Known: the requesting agency may include names of firms with contact information as potential proposers that may be interested in providing the product or service.

4.2 Purchasing Procedures: Contracts and Procurement will proceed as follows when the above information is provided:

4.2.1 Dates: Contracts and Procurement will coordinate with the requesting agency regarding all due dates and other meeting schedules, such as pre-proposal conferences.

4.2.2 Announcements: announcements of all RFPs will be electronically noticed through the county's designated system if the estimated dollar volume exceeds the expedited RFP cost limit.

4.2.3 Documentation: all documentation will be assembled and distributed to potential proposers by Contracts and Procurement. Contracts and Procurement will also be the sole issuer of all subsequent amendments that may become necessary.

- 4.2.4 A RFP shall be amended only by issuing a written amendment prior to the due date for submission of proposals.
- 4.2.5 Receipt of Proposals: the RFP shall provide instructions for submitting proposals, which may include submission of hard copies to the Contracts and Procurement office or electronic submission through the county's designated system. On the closing date and time, the proposals will be opened publicly and logged, identifying only the names of the proposers. Contents will not be disclosed at this time.
- 4.2.6 Late Proposals: no proposals shall be accepted after the closing date and time. This policy applies regardless of the circumstances surrounding the lateness of the proposal.
- 4.2.7 Distribution of Proposals: proposals received will be distributed to the selection committee members following the proposal submittal date.
- 4.2.8 Call for Meetings: the selection committee may meet after the proposals are received for the purpose of making a selection or developing a short list of proposers with whom to conduct discussions described in Section 6.0.

5.0 Selection Committee

County Ordinance 3.22.020 provides that the purchasing agent will establish a selection committee to review the proposals. The requesting agency may submit a list of potential committee members to Contracts and Procurement. All selection committee members will impartially review the submitted proposals.

- 5.1 Material communications with proposers: once an individual is appointed to a selection committee, or becomes aware of a reasonable likelihood that he or she will be appointed to a selection committee, the individual shall not have material communications with any prospective proposers concerning the procurement, outside the official process, except as requested in writing by the selection committee chair. "Material communications" is defined for this section as communications that could reasonably provide, or could reasonably create the appearance of providing, a competitive advantage in the procurement process. Selection committee members or potential committee members may only communicate with proposers or prospective proposers during the pre-proposal conference and the discussions described in Section 6.0. If information or clarification regarding the RFP is needed, prospective proposers are to contact Contracts and Procurement.
- 5.2 Conflict of Interest Statement: each selection committee member shall submit a conflict of interest and disclosure statement to Contracts and Procurement before evaluating proposals. The Purchasing Agent or designee shall disqualify selection committee members with a restricted conflict of interest and may appoint a

replacement. Failure to submit the conflict of interest and disclosure statement shall disqualify a selection committee member.

- 5.3 Proposals shall not be disclosed or discussed with anyone not involved in the selection process. Committee members shall not forward electronic copies or make copies of any proposals. All hard copy proposals must be shredded or returned to Contracts and Procurement following the selection process.

6.0 Discussions with Proposers

As provided in the RFP, discussions may be conducted with responsible proposers who submit proposals determined to be reasonably susceptible of being selected for award for the purpose of clarification to assure full understanding of, and conformance to, the solicitation requirements. All such discussions shall be conducted as follows:

6.1 Interviews, Demonstrations and On-site Visits.

- 6.1.1 Interviews, demonstrations and on-site visits are to be directed by the selection committee chair or designee. Only members of the selection committee shall be present during the interviews, demonstrations, or on-site visits, unless a written exception is approved by the purchasing agent. If a member of the selection committee does not attend all of the interviews, demonstrations, or on-site visits, his/her final score shall not be included in the final award scoring.

- 6.1.2 Time limits for interviews, demonstrations, or on-site visits, will be equal in length for each proposer.

- 6.1.3 Except as provided in subsection 6.1.4.4, the respondent's written proposal cannot be changed in any aspect at the interviews, demonstrations, or on-site visits.

- 6.1.4 The selection committee may elect to conduct interviews and demonstrations by written questionnaire. All such questionnaires shall be conducted as follows:

- 6.1.4.1 The selection committee shall prepare a single questionnaire of clarifying questions and send an identical copy to each proposer who submitted a proposal determined to be reasonably susceptible of being selected for award.

- 6.1.4.2 Proposers who receive a questionnaire may answer and deliver it to Contracts and Procurement before the date stated on the questionnaire. The stated date must be prior to any in-person interviews or demonstrations conducted by the selection committee.

- 6.1.4.3 Upon receipt of a proposer's questionnaire response, the

purchasing agent shall review the answers and identify each portion that constitutes a material change to the proposal. All such material changes to the proposal shall be concealed and may not be disclosed to, or considered by, the selection committee in its evaluation.

6.1.4.4 A proposer's questionnaire response becomes part of the proposer's proposal. In the event the proposer is awarded the contract, its questionnaire response shall be included in the contract except to the extent it increases the County's obligations or liability in the proposal or materially changes the nature of the procurement.

6.2 Clarifying Statements.

6.2.1 At any time after the proposal closing date and prior to an award, the purchasing agent may invite a proposer to clarify a portion of its proposal by sending the proposer a copy of said portion and the following notice:

"Salt Lake County Division of Contracts and Procurement invites you to restate the enclosed portion of your proposal, in writing, for the purpose of providing clarification. If you choose to provide such a restatement, it must be delivered to the Division of Contracts and Procurement within three business days of the date of this notice. If you choose not to provide such a restatement, your proposal shall be evaluated in its original form."

6.2.2 Proposers shall be accorded fair and equal treatment with respect to any opportunity for clarification of proposals. Thus, where multiple proposals are similarly unclear, an equal invitation for clarification shall be extended to those proposers.

6.2.3 Upon receipt of a proposer's written clarifying statement, the purchasing agent shall review the statement and identify each portion that constitutes a material change to the proposal. All such material changes to the proposal shall be concealed and may not be disclosed to, or considered by, the selection committee in its evaluation.

6.2.4 A proposer's written clarifying statement becomes part of the proposer's proposal. In the event the proposer is awarded the contract, its written clarifying statement shall be included in the contract except to the extent it increases the County's obligations or liability in the proposal or materially changes the nature of the procurement.

6.3 No proposer will be given information pertaining to another proposer's proposal or their present standing in the evaluation process at any time before the mayor approves of the committee's recommendation under Section 11.0.

7.0 Best and Final Offer

- 7.1 An amendment to the Request for Proposals may be issued through a request for submission of best and final offers.
- 7.2 Only proposers who submitted proposals by the time announced for receipt of proposals may submit best and final offers. If proposals are short-listed by the selection committee based on their scores, best and final offers may only be sent to short-listed proposers.
- 7.3 The purchasing agent or designee shall establish a common time and date for submission of best and final offers. Proposers shall also be informed that if they do not submit a best and final offer or a notice of withdrawal, their immediate previous offer will be construed as their best and final offer.
- 7.4 After best and final offers are requested, the proposers may freely correct any mistakes or make modifications to their proposal that are relevant in response to the best and final offer, or withdraw their proposal.
- 7.5 Requests for best and final offers shall not materially change the nature of the procurement. If, in the opinion of the purchasing agent or designee, a contemplated request for best and final offer will significantly change the nature of the procurement, the request for best and final offer shall not be issued or the request for proposals may be canceled and a new request for proposals issued.

8.0 Evaluation

- 8.1 Evaluation criteria shall be set forth in the RFP. These criteria are to be custom designed for each RFP. Evaluation criteria should be developed carefully in relation to their importance to the proposed work or project. The proposals will be evaluated exclusively on the criteria set forth in the RFP.
- 8.2 Evaluation criteria are the factors the selection committee uses to determine which proposal will best meet the county's needs. In establishing effective evaluation criteria, the county must clearly identify the factors relevant to its selection of a proposer and then prioritize or weight these factors according to their importance in satisfying the county's needs in the procurement. The proper identification and weighting of the evaluating criteria will form an evaluation plan and will provide a common standard to judge the merits of the proposals. This will also afford the proposers a fair and equitable basis of evaluation. Once evaluation criteria are issued, the selection committee must adhere to the evaluation plan. The evaluation plan must closely reflect the RFP's statement of work and requirements. One word descriptions of the criteria to be used are not appropriate. A complete statement of each evaluating criteria should be expressed.
- 8.3 The weighting of the evaluation criteria must be set forth in the RFP. The weighting of the evaluating criteria must be completed prior to issuing the RFP.

9.0 Scoring

The selection committee chair or designee will direct the scoring process of the proposals per the evaluation criteria specified in the RFP

- 9.1 In coordination with the selection committee, the purchasing agent or designee may classify a proposal as non-responsive if the proposal does not conform in all material aspects to the requirements of the RFP
- 9.2 All proposals received, except for non-responsive proposals, will be scored by each member of the selection committee on the score sheets provided by the selection committee chair. The criteria will be based on information described in the RFP. Each evaluation criterion will be given a weight based on its relative value to the project and scoring will be consistent with the committee members' findings after reviewing all proposals.
- 9.3 Scoring of pricing shall be done separately by the selection committee chair or designee.
- 9.4 The top-ranked proposer based on all scoring criteria will be recommended to the proper signing authority for award.
- 9.5 After all discussions with proposers or best and final offers have concluded, the committee members that participated in all the discussions may re-score the proposals, except in the pricing criteria.
- 9.6 The pricing criteria may only be re-scored by the selection committee chair or designee after a best and final offer has been received.

10.0 Preference System in Procurements under this Policy

- 10.1 It is the policy of the county to award goods and services based upon a Preference System that encourages responsible business practices and that benefits local businesses. Preferences shall not be permitted where prohibited by law.
- 10.2 The Health Care Preference shall accrue to proposers who currently provide and will maintain the following through the term of the contract with the county:
 - 10.2.1 A health benefit plan, as defined by Utah law, made available to the proposer's covered employees and their dependents.
- 10.3 The Veteran's Hiring Preference shall accrue to proposers who currently provide and will maintain all of the following through the term of the contract with the county:
 - 10.3.1 A completed and signed certificate explaining its program to actively recruit and employ veterans that includes the success rate of its program by listing the percentage of its workforce that qualifies as veterans under

this policy;

10.3.2 A completed and signed certificate verifying that the proposer has employed, and is currently employing, at least one veteran under its recruitment program;

10.3.3 A drug and alcohol testing policy that applies to all covered individuals employed or hired by the proposer and requires covered individuals to submit to random testing;

10.3.4 A job training program recognized by a federal, state, or local governmental entity; and

10.3.5 A job safety program that complies with job safety and health standards of the Occupation and Safety Health Administration (OSHA) or the state standards which are at least as effective as the federal standards.

10.4 The Purchasing Agent shall apply the Preference System to procurements under this Policy as follows:

10.4.1 A proposer shall receive one (1) point added to the total score of its proposal for each Preference for which the proposer qualifies.

11.0 Approval of Recommendation

The purchasing agent or designee will notify the mayor of the committee's recommendation. A copy of the master scoring sheet and individual score sheets will be maintained by Contracts and Procurement. Contract negotiation may begin once the mayor has approved of the committee's recommendation. Contracts and Procurement will give notice of the award to each proposer after the committee's recommendation has been approved.

12.0 GRAMA

12.1 Salt Lake County is a governmental entity subject to GRAMA. GRAMA and any applicable federal law will govern requests for records.

12.2 Business Confidentiality Claims: generally, any document submitted to the county is considered a "public record" under GRAMA. Any person who provides to the county a record that the person believes should be protected under GRAMA shall provide both: (1) a written claim of business confidentiality and (2) a concise statement of reasons supporting the claim of business confidentiality. Generally, GRAMA only protects against the disclosure of trade secrets or commercial information that could reasonably be expected to result in unfair competitive injury. The purchasing agent or designee shall determine the validity of a claim of business confidentiality and inform the person of its decision and the person's right to appeal the classification. Failure to provide support for a claim of business

confidentiality may result in the proposal being deemed non-responsive.

13.0 Expedited RFP Procedure

In accordance with County Ordinance 3.22.100, an expedited procedure may be used in the following situations: (1) the total fee or price for product or services will be below the expedited RFP cost limit; (2) when grant funds are used to procure goods or services pursuant to the terms and conditions of the grant regardless of the dollar amount and the standard RFP procedure would prevent the county from timely compliance with the terms of the grant; or, (3) when a partner is needed for a grant application and the standard RFP procedure would prevent the county from timely submitting the grant application. The proposal closing date for an expedited RFP shall be no earlier than five (5) calendar days from the date of issue, unless the purchasing agent authorizes a shorter response time.

13.1 Expedited RFP procedure: The requesting agency shall prepare and send an expedited RFP draft or development document to Contracts and Procurement that addresses all the required information listed in this section. Contracts and Procurement will then process the request in accordance with County Ordinance 3.22.100.

13.1.1 Scope of Work and Requirements: description of the scope of work and minimum requirements of the service, product, or product with service being requested.

13.1.2 Time Frames of Work to be Performed or Grant Application Deadline: description of when the services will start and when the services will be completed or the grant application deadline.

13.1.3 Verification the total costs for the above service/project is within the requesting agency's budget.

13.1.4 Selection Process: List of those criteria to be used in the selection process and a detailed description of how the proposer will be selected.

13.2 The requesting agency shall recommend a selection committee of no fewer than two members to review and score the proposals received.

13.3 Requests for professional services below the small cost limit may be processed as a small cost purchase. An expedited RFP contract or a small cost purchase order for professional services may not be awarded to the same vendor for the same services for the same agency within a one-year period for the same project.

13.4 To facilitate the expedited RFP requesting process, Contracts and Procurement will establish the format to be used in the request.

14.0 Request for Qualifications or Multi-Stage Selection Process

- 14.1 Multi-stage sealed bidding is a multi-step process which may be used in the selection of a proposer for highly complex projects. In the first stage, proposers submit their qualifications and experience to be evaluated. In the subsequent stages, the county will accept pricing bids or proposals or select from the top-ranked proposers as defined in Stage 1.
- 14.2 The county may use the multi-stage selection process when the purchasing agent deems it to the advantage of the county. The purchasing agent may approve this process after receiving justification from the agency requesting this process. The county may hold one or more pre-selection conferences before the proposals are received.
- 14.3 Procedure:
 - 14.3.1 The county shall initiate the multi-stage selection process by issuing a public notice in the form required by section 4.2.2 of this policy.
 - 14.3.2 The multi-stage invitation for Request for Qualifications shall provide:
 - 14.3.2.1 That the county is engaging a multi-stage selection procurement, and that the county will only consider bids or proposals from qualified proposers selected to be top ranked during the initial stage(s) of the procurement;
 - 14.3.2.2 The criteria to be used in the evaluation of the qualifications for all stages will be described in the first stage documents of the procurement.
 - 14.3.3 Evaluation of Multi-Stage selection process. The county shall evaluate and rank all proposers consistent with the criteria set forth in the Request for Qualifications, which may include an evaluation of the past performance of the proposer, responsiveness to the Request for Qualifications, project team, project approach, management plan, minimum standards for responsiveness and other such standards used in the industry.
 - 14.3.4 The number of first stage proposals recommended to move to the subsequent stages will be determined by the selection committee after reviewing the committee's scores and ranking of the proposals.
 - 14.4.5 Upon the completion of the initial stages, the county shall invite the top-ranked qualified proposers from the initial stages to participate in the subsequent stage of the solicitation for that project. The subsequent stages of the process shall be held consistent with the county's procedure defined in Stage 1.

APPROVED and PASSED this ____ day of _____, 2018.

SALT LAKE COUNTY COUNCIL:

By: _____

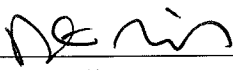
Aimee Winder Newton, Chair

Date: _____

ATTEST:

 Sherrie Swensen
 Salt Lake County Clerk

APPROVED AS TO FORM:



 Adam Miller
 Deputy District Attorney
 Date: 17 Jan 2018

Council Member Bradley voting	_____
Council Member Bradshaw voting	_____
Council Member Burdick voting	_____
Council Member DeBry voting	_____
Council Member Granato voting	_____
Council Member Jensen voting	_____
Council Member Newton voting	_____
Council Member Snelgrove voting	_____
Council Member Wilson voting	_____