



**PIMA COUNTY, ARIZONA
BOARD OF SUPERVISORS POLICY**

Subject:
Pima County Direct Demand Purchase Policy

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D29.3

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Purpose

The purpose of this document is to define Pima County's Policy regarding the acquisition of, and payment for, goods and services that are not required to be procured pursuant to a competitive process defined by the Pima County Procurement Code, Board of Supervisors Policies and Procurement Department Procedures.

Definition

Direct demand: Requests for payments submitted on Claim Against Pima County, Arizona form for goods and services that are not required to be procured pursuant to a competitive process defined by the Procurement Code and Procurement Procedures.

Procurement (Procured): The process utilized to identify the vendor or supplier selected to provide the required goods or services.

Purchase: Authorization (Order) given to a vendor or supplier to provide procured goods or services.

Policy

This policy establishes authorization limits on direct demand purchases, and in general terms, defines the conditions under which direct demand purchases are inappropriate.

Notwithstanding the following provisions, this Policy is not intended to subvert or waive the County's obligation for prudent expenditures of public funds in compliance with the Procurement Code, the Board Policies and the Procurement Department procedures. Departments should, wherever possible, seek competitive pricing on purchases made pursuant to this policy.

Direct Demand claims for payment shall be reviewed by Finance for compliance as defined by Sections A and B below:

All Direct Demand claims that appear to be non-conforming to this procedure shall be submitted by Finance to the Procurement Director, for review and approval to pay. Claims that are not approved will be returned to the Department that incurred the payment obligation.

- A. The following goods and services are exempted from the typical competitive procurement process and may be procured and payment requested made by either Direct Demand Claim form, without regard to limitation of a dollar amount, or PCard as allowed by the PCard procedure:

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1. Court related and legal expenses related to a specific or potential court action, such as attorneys, expert witnesses, investigators, etc. The exemption does not apply to the Office of Court Appointed Counsel, as purchase agreements are required to satisfy those requirements.
2. Postage.
3. Utilities and utility connection and relocations performed by the utility provider.
4. Medical expenses related to care of a specific patient, such as hospitalization, physicians, laboratory fees, etc.
5. Travel (subject to travel policy limitations).
6. Educational and training expenses provided by outside companies including registration fees, course fees, and testing materials. Does not apply to on-site training services provided by consultants and training courses that are specifically designed for Pima County.
7. Fees and dues.
8. Books, publications and subscriptions. Excluded items include software or music license subscriptions and books to be provided for public use by the Library District.
9. Promotional advertising paid directly to television and radio stations, billboard companies, magazines and newspapers. Excludes Legal and Classified Advertising, and promotional advertising materials such as pencils, pens, etc.
10. Any single purchase under \$1,000 in total value, unless otherwise excluded pursuant to Section B. of this Policy.

B. Use of Direct Demand is not authorized for the following:

1. Where there exists a procurement or purchase agreement such as and not limited to annual purchase orders or blanket contracts for the required goods or services.
2. Where purchase of goods or services could involve potential liability or risk to the County.
3. When there will be reasonably anticipated recurring requirements for the same or similar items with a cumulative annual cost that exceeds \$1,000.00.
4. Capital items (capital assets) with a unit value of \$1,000 or more.

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5. When P-Card can be utilized.
- C. Direct demand purchases may be made under the following circumstances and only in those situations where an emergency exists as defined herein.
1. In the event of an absolute emergency requiring immediate action to protect the public health, welfare or safety during other than normal hours (7:30 a.m. - 5:00 p.m., weekdays or on weekends) departments may purchase the minimum materials or services necessary to resolve the emergency.
 2. In the event emergency response is required because of a disaster, i.e., fire, flood, accidents, etc., all necessary action is authorized.
 3. Emergency procurement shall be limited to those materials or services necessary to satisfy the emergency need.
 4. Claims for the payment of such emergency services must be submitted to the Procurement Department for approval, along with a written justification for the action taken.

Enforcement

As defined by Board Policy D29.9 "Pima County Department Purchase Responsibility" all County Department Heads are responsible for the training, supervision and management of their respective staff to assure full compliance with this policy.