

Procurement Codes and Getting Compliance

UAC Management Conference

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County or State Code?

- County option to adopt its own procurement code

UCA 63G-6A-103

“Local government procurement unit” means:

*(a) a county or municipality, and each office or agency of the county or municipality, **unless the county or municipality adopts its own procurement code by ordinance;***

(b) a county or municipality that has adopted this entire chapter by ordinance, and each office or agency of that county or municipality; or

(c) a county or municipality that has adopted a portion of this chapter by ordinance, to the extent that a term in the ordinance is used in the adopted portion of this chapter, and each office or agency of that county or municipality.

Code Resources

- ABA's Model Procurement Code
- Other county or state procurement codes
- Procurement Associations
 - NIGP
 - NASPO
 - NPI

State Procurement Laws that Always Apply

- Unlawful Conduct and Penalties applies to all public agencies – [UCA 63G-6a-24](#)
 - *Unlawful to promise to give or receive gratuities or kickbacks with intent to influence a procurement decision*
 - *Penalties range from Class B misdemeanor to second degree felony if the gratuity or kickback is over \$1,000 in value*

State Procurement Laws that Always Apply

- Construction – Building Improvements and Public Works Projects – [UCA 11-39](#)
 - For projects that exceed the defined bid limits
 - \$52,000 for Building Improvement
 - \$162,000 for Public Works Projects
 - Building Improvement: Construction or repair of a public building or structure.
 - Public Works Project: Construction of a park, recreational facility, pipeline, culvert, dam, canal, or other system for water, sewage, storm water, or flood control.

Compliance

- Centralized Procurement Program
 - All procurements done by purchasing office
- Decentralized Program
 - Small-cost purchases and contract purchases done at agency level

Compliance and Training

- System Checks
- [Website](#)
 - Resource Guide
 - Flowcharts
- In-Person Training
- Customer Service Visits
- “OJT” – on-the-job-training
- “ITM” – in-the-moment

Website Resources

Slco.org/contracts

- Contract Info
- Current Solicitations
- Project Tracking
- Training and Compliance Resources
 - Purchasing Resource Guide
 - Purchasing Decision Flowchart
 - RFP Flowchart
 - Contract Processing Flowchart

Questions and Discussion