

The Monroe County Board of Supervisors met pursuant to adjournment August 20, 2019 with Board of Supervisor members Dennis Amoss (Chairman) Absent, John Hughes and Michael R. Beary present.

Minutes of August 13, 2019, read and signed for approval by Board of Supervisors.

Motion by Beary and seconded by Hughes to approve the following notice of intended action regarding the sale of County owned property in Guilford and to set the date of the public hearing for September 3<sup>rd</sup>, 2019 at 9:30 am. The notice of intended action will be published on August 22<sup>nd</sup> and August 27<sup>th</sup> 2019.

### ***Notice of Intended Action***

*1. Pursuant to the terms of Sec. 331.305 and Sec. 331.361(2) of the Iowa Code the Monroe County Board of Supervisors at its regular meeting on September 3, 2019, will determine if it is in the public interest to sell and the method of sale of the following described real estate:*

- a. All that part of the abandoned Railroad Right-of-Way, which passes over and across the following described real estate: SW ¼ NW ¼ in Section 12, Township 72, Range 18, Monroe County, Iowa – As shown in Deed Record 119, Pages 110 and 111.*
- b. All that part of the abandoned Railroad Right-of-Way, which passes over and across the following described real estate: SE ¼ NW ¼ in Section 12, Township 72, Range 18, Monroe County, Iowa – As shown in Deed Record 119, Pages 110 and 111.*

*2. Any interested person may submit written suggestions or comments upon the proposal in this Notice of Intended Action. Comments conveyed by mail should be sent to the Monroe County Auditor, Monroe County Courthouse, 10 Benton Ave. E., Albia, IA 52531 and must be received by the Monroe County Auditor no later than 9:30 am on September 3, 2019.*

*3. A public hearing will be held on September 3, 2019, at 9:30 am in the Board of Supervisors Office, Monroe County Courthouse, 10 Benton Ave. E., Albia, Iowa 52531. Comments presented at the public hearing may be offered either orally or in writing.*

*4. If the Board determines it is in the public interest to sell the property, the Board will open sealed bids at the close of the public hearing. Please submit your sealed bid to the Auditor's Office at 10 Benton Ave. E., Albia, Iowa, no later than 9:30 am on September 3, 2019. The minimum bid will be \$200.00 cash for each parcel. Each parcel will be sold separately. The Board reserves the right to reject all bids. After acceptance of the bid, Monroe County, Iowa will convey by quit claim deed. The County will not provide an abstract of title showing marketable title. Survey if required will be at the buyer's expense. All real estate sales are subject to Monroe County zoning regulations.*

*Dated this 20<sup>th</sup> day of August 2019.*

All voting aye. Motion carried.

Motion by Beary and seconded by Hughes to approve utility permit in Guilford Township Sec. 2 for Rathbun Regional Water Assoc. Inc.

All voting aye. Motion carried.

Motion by Beary and seconded by Hughes to approve FEMA Resolutions (Procurement Policy, Fraud Reporting Policy and Segregation of Duties Policy) for disaster DR-4421.

## **RESOLUTION**

### **PROCUREMENT POLICY-MONROE COUNTY SECONDARY ROADS**

**A RESOLUTION** of Monroe County, Iowa Adopting a Procurement Policy for the Monroe County Secondary Roads.

#### **PURPOSE**

*The purpose of this procurement policy is to ensure that sound business judgement is utilized in all procurement transactions and that supplies, equipment, construction and services are obtained efficiently and economically and in compliance with applicable federal and state law and executive orders and to ensure that all procurement transactions will be conducted in a manner that provides full and open competition. These procedures will ensure that all solicitations incorporate clear and accurate descriptions of the technical requirements for the goods or services being procured. Chapter 26 and Section 331.341 of the Iowa Code will be followed on all applicable purchases. All other appropriate sections of the Iowa Code shall also apply.*

#### **APPLICATION**

*This policy applies to the procurement of all supplies, equipment, and construction and services of and for Monroe County Secondary Roads that include any federal program funding. In regards to any such federal programs, all procurement will be done in accordance with 2 CFR; Part 200. Chapter 26 and Section 331.341 of the Iowa Code will be followed on all applicable purchases. All other appropriate sections of the Iowa Code shall also apply. When federal requirements conflict with local or state requirements, the federal requirement, or most restrictive requirement will be followed.*

## POLICY

### METHODS OF PROCUREMENT

Procurement under grants shall be made by one of the following methods, as described herein: (a) small purchase procedures; (b) sealed bids (formal advertising); (c) competitive proposals; (d) noncompetitive proposals.

#### A. Micro-Purchase Procedures 200.320(a)

- i. The acquisition of supplies or services, the aggregate dollar amount of which does not exceed the micro-purchase threshold - \$10,000 (200.67)
- ii. To the extent practicable, must distribute micro-purchases equitably among qualified suppliers
- iii. May be awarded without soliciting competitive quotations if the non-Federal entity considers the price to be reasonable

#### B. Small Purchase Procedures 200.320(b)

- i. Are those relatively simple and informal procurement methods for securing services, supplies, or other property that does not cost more than the simplified acquisition threshold - \$250,000 (200.88)
- ii. Price or rate quotations are to be obtained from an "adequate number" of qualified sources

#### C. Sealed Bidding (formal advertising) 200.320(c)

- i. Lowest priced, responsive, responsible, bidder WINS
- ii. The preferred method for construction when sealed bidding is "feasible", which is when certain conditions are present
- iii. Bids must be solicited from an "adequate number of known suppliers", providing them sufficient response time before date for the opening of bids
- iv. Bids will be opened at the time and place prescribed in the invitation for bids
- v. Must publicly advertise the invitation for bids
- vi. Bids must be opened publicly
- vii. Other procedural requirements at 200.320(c)(2)

#### D. Competitive Proposals 200.320(d)

- i. Used when conditions are not appropriate for the use of sealed bids
- ii. The appropriate method when more than one source is expected to submit an offer and either a fixed-price or cost-reimbursement type contract is awarded
- iii. Awards will be made to the responsible firm whose proposal is most advantageous to the program, with **price** and other factors considered
- iv. Requests for proposals **must be publicized** and identify all evaluation factors and their relative importance
- v. Proposals must be solicited from an adequate number of qualified sources
- vi. Must have written method for conducting technical evaluations of the proposals received and for selection of the contract

#### E. Noncompetitive Proposals 200.320(f)

- i. Procurement through solicitation of a proposal from only one source and may be used only when one or more of the following circumstances apply:

- a. **One Source:** the item is available only from a single source
- b. **Exigency/Emergency:** an exigency or emergency will not permit a delay resulting from competitive solicitation
- c. **Awarding Agency Approval:** the Federal awarding agency or pass-through entity expressly authorizes noncompetitive proposals in response to a written request from the non-Federal entity
- d. **Inadequate Competition:** after the solicitation of a number of sources, competition is determined inadequate

**CONTRACTING WITH SMALL AND MINORITY BUSINESSES, WOMEN'S BUSINESS ENTERPRISES, AND LABOR SURPLUS AREA FIRMS (200.321)**

- A. Assuring that small and minority businesses, and women's business enterprises are solicited whenever they are potential sources;
- B. Placing qualified small and minority businesses and women's business enterprises on solicitation lists;
- C. Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses, and women's business enterprises;
- D. Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses, and women's business enterprises;
- E. Using the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce; and
- F. Requiring the prime contractor, if subcontracts are to be let, to take the affirmative steps listed in paragraphs (a) through (e).

**CONTRACT PRICING (200.323)**

- A. The cost plus a percentage of cost and percentage of construction cost method of contracting shall not be used.
- B. Monroe County Secondary Roads shall perform some form of cost/price analysis for every procurement action, including contract modifications, amendments, or change orders. Monroe County Secondary Roads shall make an independent estimate prior to receiving a bid or proposal.
- C. Monroe County Secondary Roads shall negotiate profit as a separate element of the price for each contract in which there is no price competition and in all cases where cost analysis is performed. In determining a fair and reasonable profit, Monroe County Secondary Roads must consider the complexity of the work to be performed, the risk borne by the contractor, the contractor's investment, the amount of subcontracting, the quality of its record of past performance and the industry profit rates in the surrounding geographical area.

## **PROCUREMENT RECORDS**

*Monroe County Secondary Roads shall maintain records sufficient to detail the significant history of a procurement, including the rationale for the method of procurement, selection of contract type, contractor selection or rejection, and the basis for the contract price.*

*(200.324)*

- A. Monroe County Secondary Roads must make available, upon request of the Federal awarding agency or pass-through entity, technical specifications on proposed procurements where the Federal awarding agency or pass-through entity believes such review is needed to ensure that the item or service specified is the one being proposed for acquisition.*
- B. Monroe County Secondary Roads must make available upon request, for the Federal awarding agency or pass-through entity preprocurement review, procurement documents, such as requests for proposals or invitations for bids, or independent cost estimates, when:*
  - i. Monroe County Secondary Roads' procurement procedures or operation fails to comply with the procurement standards in this Part;*
  - ii. The procurement is expected to exceed the Simplified Acquisition Threshold and is to be awarded without competition or only one bid or offer is received in response to a solicitation;*
  - iii. The procurement, which is expected to exceed the Simplified Acquisition Threshold, specifies a "brand name" product;*
  - iv. The proposed contract is more than the Simplified Acquisition Threshold and is to be awarded to other than the apparent low bidder under a sealed bid procurement; or*
  - v. A proposed contract modification changes the scope of a contract or increases the contract amount by more than the Simplified Acquisition Threshold.*
- C. Monroe County Secondary Roads is exempt from the pre-procurement review in paragraph (b) of this section if the Federal awarding agency or pass-through entity determines that its procurement systems comply with the standards of this Part.*
  - i. Monroe County Secondary Roads may request that its procurement system be reviewed by the Federal awarding agency or pass-through entity to determine whether its system meets these standards in order for its system to be certified. Generally, these reviews must occur where there is continuous high-dollar funding, and third party contracts are awarded on a regular basis;*
  - ii. Monroe County Secondary Roads may self-certify its procurement system. Such self-certification must not limit the Federal awarding agency's right to survey the system. Under a self-certification procedure, the Federal awarding agency may rely on written assurances from Monroe County Secondary Roads that it is complying with these standards. Monroe County Secondary Roads must cite specific policies, procedures, regulations, or standards as being in compliance with these requirements and have its system available for review.*

## **AWARDED CONTRACTS**

- A. *Monroe County Secondary Roads will not award a contract to a party listed as debarred, suspended, or otherwise excluded in the System for Award Management (SAM). [www.sam.gov](http://www.sam.gov) (200.213)*
- B. *Contracts awarded shall contain the applicable contract provisions described in 2 CFR 200.326 and Appendix II to Part 200.*
- C. *Monroe County Secondary Roads will maintain written standards of conduct covering conflicts of interest and must provide for disciplinary action to be applied for violations of such standards as defined in 2 CFR 200.318 (c) (1).  
No officer, employee, or agent of the Monroe County Secondary Roads shall participate in the selection, award, or administration of a contract supported by federal grant funds, if a conflict of interest, real or apparent, would be involved. Such a conflict would arise when:  
The employee, officer, or agent:  
Any member of his/her immediate family;  
His/her partner; or  
An organization which employs, or is about to employ any of the above;  
has a financial or other interest in the firm selected for award.  
Monroe County Secondary Roads officers, employees, or agents shall neither solicit nor accept gratuities, favors, or anything of monetary value from contractors, potential contractors, or subcontractors.  
To the extent permitted by federal, state, or local law or regulations, violation of these standards may cause penalties, sanctions, or other disciplinary actions to be taken against Monroe County Secondary Roads' officers, employees, or agents.*

## **RESOLUTION Fraud Reporting Policy**

**A RESOLUTION** of Monroe County, Iowa Adopting a Fraud Reporting Policy.

2 CFR Part 200  
200.113 Mandatory disclosures.

*The non-Federal entity or applicant for a Federal award must disclose, in a timely manner, in writing to the Federal awarding agency or pass-through entity all violations of Federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the Federal award. Non-Federal entities that have received a Federal award including the term and condition outlined in Appendix XII—Award Term and Condition for Recipient Integrity and Performance Matters are required to report certain civil, criminal, or administrative proceedings to SAM. Failure to make required disclosures can result in any of the remedies described in §200.338 Remedies for noncompliance, including suspension or debarment.*

*If a County department or employee learns of a violation of federal criminal law involving fraud, bribery, or gratuity potentially affecting a federal grant, the department or employee must report the violation to:*

Monroe County Auditor

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*The above named is/are responsible for reporting the violation to the relevant federal agency or pass-through agency in writing and in a timely manner.*

**RESOLUTION**  
**SEGREGATION OF DUTIES Policy**

**A RESOLUTION** of Monroe County, Iowa Adopting a Segregation of Duties for Officers, Employees, and Agents.

**INTRODUCTION**

*State and federal policies require that accounting transactions be authorized according to sound management practices. One of the most basic, yet most important principles of sound management is that of segregation of duties.*

*Segregation of duties is critical because it ensures separation of different functions and defines authority and responsibility over transactions. Segregation of duties is critical to effective internal control; it reduces the risk of both erroneous and inappropriate actions.*

*The fundamental premise of segregated duties is that an individual should not be in a position to initiate, approve, and review the same action. Also, the accounting/reconciling function, and the asset (e.g., money, inventory) custody function should be separated among employees. These are called incompatible duties when performed by the same individual.*

**POLICY STATEMENT**

*Responsible administrators must consider the principle of segregation of duties when designing and defining job duties. They must implement processes and control procedures that, to the extent feasible, segregate duties among employees and that include effective oversight of activities and transactions.*

*Maintaining segregation of duties is especially challenging for units with small numbers of employees. When these functions cannot be separated, more reliance must be placed on administrative oversight. A detailed supervisory review of activities involving finances, inventory, and other assets is required as a compensating control activity.*

All voting Aye. Motion Carried.

Architect Michael Nolan, Rick Gustin, President and Keith Minardi, Project Manager from Reliable 1 present to discuss HVAC project for courthouse.

Meeting adjourned.

(Dennis Amoss)  
Dennis Amoss, Chairman

ATTEST: (Chris Turner)  
Amanda R. Harlan, Monroe County Auditor  
By: Chris Turner, Deputy