

Mapaville Fire Protection District

Ordinance No. O - 191021

SCOPE

This ordinance provides a collection of statutory duties for the District by providing one reference for the appropriate employees, volunteers or board members to examine the applicable standards. The term District in this ordinance will be utilized to represent the Mapaville Fire Protection District.

PURPOSE

The purpose of this policy is for the District to obtain the most cost-effective value for public monies spent consistent with legal requirements for public purchasing.

To ensure the District and District personnel comply with specific purchasing policies to protect the expenditure of District funds.

POLICY

It is the policy of the District that all District purchases or contracts for services shall be fully competitive under non-emergency scenarios.

In accordance to RSMo 432.070, it is the policy of the District that no agent or representative of the District shall enter into any contract or agreement, unless the contract, including pricing and costs, is in writing; signed and dated in advance by all parties or their agents, who must be authorized by law and duly appointed and authorized in writing.

Pursuant to RSMo 290.220, it is the policy of the District that a wage of no less than the prevailing hourly rate of wages for work of a similar character in Jefferson County shall be paid to all workers employed by or on behalf of the Board of Directors engaged in public works

Pursuant to RSMo 67.080, it shall be the policy of the District that purchases, or service contracts are allowed only if the expenditure or service contract would not cause any particular line item the budget to be exceeded.

It is the policy of the District that any purchase or service contract, whose payment would cause a line item of the budget to be exceeded, must be approved in advance by the Board of Directors under **non-emergency** scenarios.

For the efficient and effective operation of the District, it is the policy of the

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District that **Authorized Purchasers** may spend up to \$1,000.00 for purchases or service contracts without prior Board approval or preauthorization as long as no expenditure or service contract would cause a particular line item affected in the budget to be exceeded.

Pursuant to RSMo 107.170, it is the policy and duty of the District, in making contracts for public works, the cost of which is estimated to exceed twenty-five thousand dollars (\$25,000), to require every contractor for such work to furnish to the District, a performance bond for the payment of materials for construction of such work, insurance premiums for said work, and for labor performed in such work.

It is the policy of the District, in making service contracts, to require every contractor to furnish to the District, a certificate of workers compensation insurance for any service work performed by such contractor on District premises when required by statute.

It is the policy of the District, in making service contracts, to require every contractor to furnish to the District a certificate of liability insurance for any service work performed by such contractor on District premises

By awarding contracts for the performance of any job or service, it shall be the policy of the District to give increased preference to service-disabled veteran businesses doing business as Missouri firms, corporations, or individuals, or which maintain Missouri offices or places of business.

In making purchases not exceeding ten million dollars (\$10,000,000) for the District, it shall be the policy of the District to give an increased bidding preference for products and services manufactured, produced or assembled in qualified nonprofit organizations for the blind and in certified, approved sheltered workshops if the participating nonprofit organization provides at least two percent (2%) or five thousand dollars (\$5,000) of the total contract value of bids.

In awarding contracts for the performance of any job or service, it shall be the policy of the District to give preference to all firms, corporations, or individuals doing business as Missouri firms, corporations, or individuals, or which maintain Missouri offices or places of business, when the quality of performance promised is equal or better and the price quoted is the same or less.

Pursuant to RSMo 8.280, it shall be the policy of the District to purchase and use only the products of the mines, forests, and quarries of the state of Missouri, when the products are found in marketable quantities in the state, and all

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materials contracted for shall be of the best quality, and preference shall be given to Missouri materials and labor where same are of a suitable character and can be obtained at reasonable market prices.

Pursuant to RSMo 34.353, it is the policy of the District to encourage the purchase of products manufactured or produced in the United States of America.

RESPONSIBILITY

It is the responsibility of the **Board of Directors** to approve purchases or service contracts when the expenditure or service contract would cause a particular line item of the budget to be exceeded.

To ensure that all the basic **considerations** relevant to purchasing and service contract agreements are covered, it is the responsibility of the:

The Fire Chief to ensure standard District terms and conditions are available to be included on requests for bids, quotations, and purchase orders; and

Authorized purchasers to ensure standard District terms and conditions are included on requests for bids, quotations, and purchase orders.

It is the responsibility of all **District Employees** to obtain the most cost-effective value for public monies spent consistent with legal requirements for public purchasing

DEFINITIONS

Authorized Purchaser—A District employee that is approved by this policy to procure goods or service contracts for the District; specifically, the Treasurer, Secretary, Fire Commissioner, Fire Chief, Asst. Fire Chief, Deputy Fire Chief are Authorized Purchasers. Captains, and Lieutenants, upon approval of each purchase by a Chief Officer, are authorized purchasers.

Bidder—an individual, partnership, firm, or corporation that offers to become a vendor; also known as offeror.

Life cycle cost—the expected total cost of ownership during the life of a product.

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Professional Services—unique, technical and/or infrequent functions performed by an independent contractor qualified by education, experience, and/or technical ability to provide services that are usually of a specific project nature, predominately intellectual in character, and not on-going. Examples include accountants; physicians; planning consultants; insurance advisors and brokers; landscape designers; etc. RSMo 8.285-291 specifically lists architects, engineers, and land surveyors. RSMo 321.220(4) and 321.600(4) specifically lists attorneys and engineers

Professional Service Contracts—are agreements for professional service with individuals, partnerships, firms, or corporations.

RSMo— Revised Statutes of Missouri.

Vendor—a supplier, contractor or consultant, as an individual, partnership, firm, or corporation, providing goods and/or services to the District.

GENERAL PURCHASING PRACTICES

1. Any purchase or service contract which is expected to not exceed \$1,000.00 (One Thousand Dollars), shall be:
 - a. Based, whenever possible, on at least three (3) price comparisons;
 - b. Purchased from the best quote, quality of the product according to the District's specifications and the reputation of the vendor, as past performance has demonstrated, to provide an acceptable product and professional service in an acceptable timetable. Any and all bids or proposals may be rejected at any time when the District deems necessary per the Vendor Consideration section of this ordinance; and
 - c. Approved by an authorized purchaser by receipt, invoice or statement, in an e-mail or signed memo, or by a signed Purchase Order.
 - d. Such purchases are required to be identified at the Board of Director's next regular monthly meeting in the financial reports or the Chief's report to the Board of Directors.

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2. Any purchase or service contract which is expected to exceed One Thousand dollars (\$1,000.00)
 - a. Based, whenever possible, on at least three (3) competitive quotations that are confirmed in writing, but may be obtained verbally;
 - b. Purchased from the best quote, quality of the product according to the District's specifications and the reputation of the vendor, as past performance has demonstrated, to provide an acceptable product and professional service in an acceptable timetable. Any and all bids or proposals may be rejected at any time when the District deems necessary per the Vendor Consideration section of this ordinance; and
 - c. Approved by the Board of Directors by motion, resolution, or Purchase Order.
3. As required by RSMo 285.530, any purchase or service contract which is expected to exceed five thousand dollars (\$5,000) shall require the vendor to annually submit affidavits and **documentation** affirming that the vendor is enrolled and is participating in a federal work authorization program such as E-Verify and that the vendor does not knowingly employ unauthorized aliens in connection with the contracted services.
4. As required by RSMo 34.076.1, any contract for any public works or product, which is bid and is expected to exceed five thousand dollars (\$5,000) wherein part of or all funds are not furnished by the United States shall require a contractor or bidder domiciled outside the boundaries of the state of Missouri, in order to be successful, to submit:
 - a. A bid the same percent less than the lowest bid submitted by a responsible contractor or bidder domiciled in Missouri as would be required for such a Missouri domiciled contractor or bidder to succeed over the bidding contractor or bidder domiciled outside Missouri on a like contract or bid being let in the person's domiciliary state; and
 - b. An audited financial statement as would be required of a Missouri domiciled contractor or bidder on a like contract or bid being let in the domiciliary state of that contractor or bidder.
5. As required by RSMo 321.220(4) and 321.600(4), before any service contract

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or construction or purchase contracts for work or material or both which is expected to exceed ten thousand dollars (\$10,000) or more:

- a. A notice to the public shall be published for bids:
 - i. In an issue of a newspaper of general circulation in the District, a notice inviting bids;
 - ii. At least thirty (30) days prior to date set for the receipt of the bids, unless otherwise specified by resolution of the Board of Directors;
 - iii. With a general description included of the construction, goods or materials to be purchased or services to be performed;
 - iv. With the time and place for submitting sealed bids; and
 - v. With compliance with applicable Missouri statutes required.
 - b. The District may also have invitation to bid notices mailed, on the same day of notice of bid is published, to prospective bidders.
 - c. Award shall be:
 - i. Based, whenever possible, on at least three (3) sealed bids received in a timely manner and opened and read aloud at a Board of Directors meeting or at a public opening where at least one Director is present;
 - ii. Based on the lowest and best bid; and
 - iii. Approved by the Board of Directors by motion, resolution, or purchase order.
6. As required by RSMo 34.353, the purchase of manufactured goods or commodities used or supplied for construction, alteration, repair, or maintenance of any public works which is more than twenty-five thousand dollars (\$25,000) shall be manufactured or produced in the United States of America.
7. To avoid double taxation, purchases or service contracts shall be exempt from Missouri sales and use taxes and federal excise taxes:

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- a. The State of Missouri fleet fuel program shall be used to exempt the 18.3¢ per gallon of gasoline and 24.3¢ per gallon of diesel federal fuel excise taxes at the point-of-sale;
- b. The Treasurer shall ensure that District employees have documentation of the District's tax exemption status; and
- c. The Treasurer shall ensure that the District's tax exemption status is known to telecommunications companies, utility companies, and national retail chain stores, e.g., Home Depot, OfficeMax, etc.

EXCEPTION PRACTICES

1. Lawful exceptions may be approved by the Board, ratified by the Board, or when commodities or certain services are available:
 - a. Other purchases or contracts for services, which by their nature, may be impossible to competitively award, are exempt as follows:
 - i. Professional services, including, but not limited to accountants, architects, engineers, land surveyors, attorneys, physicians or other services requiring expert or specialized knowledge or skill, e.g., planning consultants; insurance advisors and brokers; landscape architects; designers; etc.;
 - ii. A product or service which the District is eligible to purchase through another entity's bid, e.g., state purchasing contracts, or another entity's cooperative purchase pricing or rates, Mid-America Regional Council Emergency Response (MARCER);
 - iii. A commodity or service which, by its very nature, is available from only one source; and
 - iv. A commodity or service which the District has standardized for use and there is only one source for such commodity or service.
 - b. In case of an emergency which requires immediate purchases of goods or services for continued essential operations of the District and when time is of the essence, authorized purchasers may purchase or commandeer essential goods or services without competitive purchasing; however, a written memo of the circumstances necessitating an emergency purchase shall be provided to the Board of Directors within

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one (1) week of the purchase so that the Board of Directors are able to ratify the purchase at a subsequent meeting of the Board of Directors.

2. As allowed by RSMo 34.353, the purchase of manufactured goods or commodities used or supplied for construction, alteration, repair, or maintenance of any public works which is more than twenty-five thousand dollars (\$25,000) shall not be required to be manufactured or produced in the United States of America when the District certifies:
 - a. Only one line of a particular good or product is manufactured in the United States of America;
 - b. The specified products are not manufactured or produced in the United States of America in sufficient quantities to meet the requirements;
 - c. The specified products cannot be manufactured or produced in the United States within the necessary time in sufficient quantities to meet requirements; and
 - d. Obtaining the specified products manufactured or produced in the United States would increase the cost by more than ten percent (10%).
3. As allowed by RSMo 8.280, the purchase and use of the products of the mines, forests, and quarries of the state of Missouri shall not be required when the Missouri products or materials are not:
 - a. Found in marketable quantities in the state;
 - b. The best quality;
 - c. The same suitable character; or
 - d. Obtainable at reasonable market prices.
4. As allowed by RSMo 34.074, increased preference to service-disabled veteran businesses doing business as Missouri firms, corporations, or individuals, or which maintain Missouri offices or places of business in letting contracts for the performance of any job or service is not required when no or an insufficient number of such veterans doing business in this state submit a bid or proposal for a contract.

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PROFESSIONAL SERVICE CONTRACT PRACTICES

1. Professional service consultants shall be selected based upon their demonstrated qualifications.
2. A project scope must be defined before the selection process for any professional service contracts.
3. The criteria to be used to judge the qualifications of the consultant shall include:
 - a. Specialized experience and technical competence with respect to the type of services required;
 - b. Capacity and capability to perform the work in question, including specialized services, within the time limitations fixed for the completion of the project;
 - c. Past record of performance with respect to such factors as control of costs, quality of work, and ability to meet schedules; and
 - d. Proximity to and familiarity with the area.
4. Upon selection as the best qualified consultant, the District will negotiate with the selected consultant based upon an agreed scope of work.
5. Should negotiations be unsuccessful with the selected consultant, negotiations will be terminated and then the District shall then start negotiations with the second most qualified firm selected for the project. Should those negotiations also fail to reach an acceptable agreement, the negotiations shall be terminated, and the process started with the District's third highest rated consultant for the project.
6. Once negotiations are terminated, no further negotiations for the project will be allowed. Should negotiations fail with the top three selected consultants for the project, the selection process shall be re-evaluated with respect to the necessary services needed for the project including a review of the scope of desired work or services. Once the re-evaluation is complete, the District shall again go through the process of determining the best consultants for the project and start the negotiating process again.

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PROCUREMENT OF SERVICE CONTRACT PRACTICES

1. The following steps should be followed when procuring services:
 - a. Determine a service to be potentially necessary;
 - b. Secure proper authorization to obtain pricing, quotations, or bids depending on expected costs and available budget;
 - c. Find pricing or quotations or receive bids;
 - d. Review the service contract for:
 - i. Legal sufficiency, including terms and conditions;
 - ii. Sufficient statement of work, especially contractor performance; and
 - iii. Identification of potential business, financial, or political risks;
 - e. Receive proper approval for the service contract, including budget amendments if necessary;
 - f. Implement service contract to receive services using established processes for check requests, reimbursement, charge accounts, or open invoice accounts, or purchase card purchases;
 - g. Monitor the service contract by:
 - i. Review contractor performance at appropriate intervals; and
 - ii. Ensure compliance with contract terms and conditions, including performance satisfaction;
 - h. If received service has not been paid for, arrange for prompt payment for purchases by using established processes for reimbursement or disbursements.
2. Before making any contractor payments, the Treasurer shall ensure that every contractor furnish a certificate of liability insurance and a certificate of workers compensation insurance for any service work done by such contractor on District premises when required by statute.

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3. As required by RSMo 376.696, no contract shall be entered into by the Board of Directors to purchase any insurance policy or policies unless the contract is submitted to competitive bidding at least every six years (6) and the contract is awarded to the best and lowest of at least three (3) bidders.
4. As allowed by RSMo 376.696, the renewal of any insurance policy during any period between submissions of the contract to competitive bidding shall not constitute a separate and distinct contract for the time covered by the renewal but shall be treated only as an extension of an existing contract.
5. As required by RSMo 67.150.2, no contract shall be entered into by the Board of Directors to purchase any hospitalization, medical, or life insurance policy or policies unless the contract is submitted to competitive bidding at least every three years and the contract is awarded to the best and lowest of at least three (3) bidders.
6. As encouraged by RSMo 110.010 and 110.030, the District shall submit banking services for competitive bid at least every four (4) years.

PROCUREMENT OF GOODS PRACTICES

1. The following steps should be followed when procuring goods:
 - a. Determine the purchase of goods to be potentially necessary;
 - b. Secure proper authorization to obtain pricing, quotations, or bids depending on expected costs and available budget;
 - c. Find pricing or quotations or receive bids;
 - d. Receive proper approval to purchase the goods, including budget amendments if necessary;
 - e. Purchase goods using established processes for check requests, reimbursement, charge accounts, or open invoice accounts, or purchase card purchases; and
 - f. If purchased goods have not been paid for, arrange for prompt payment for purchases by using established processes for reimbursement or disbursements.

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2. Authorized purchasers are encouraged to purchase goods and materials made with recycled content.
3. All goods shall be inspected at time of receipt to ensure goods are in an acceptable condition and quantities, unit of measure, item numbers, item description, etc. are recorded, if a packing or shipping list is unavailable.
4. As required by RSMo 320.088, the District shall not purchase any new Personal Protection Equipment (PPE) for structural firefighters unless such equipment meets those standards adopted by the National Fire Protection Association (NFPA) or where no standards exist, the Occupational Safety and Health Administration (OSHA) fire brigades standards, *29 Code of Federal Regulation (CFR) 1910.156* until a NFPA standard is adopted.
5. The District must report to the Centers for Medicare and Medicaid Services (CMS) or its contractor within ninety (90) days if there has been an acquisition of an ambulance.

CONSTRUCTION OR RENOVATION PRACTICES

1. As allowed by RSMo 8.677, the District may elect to engage the construction management services of a construction manager when planning, designing and constructing a building or structure or when improving, altering or repairing a building or structure. Construction management services may be used by the District in the preconstruction phase or the construction phase of public works project or in both phases of the project.
2. In regard to construction management services, the District shall follow RSMo 8.675-681 for the required contract; procedure to solicit proposals; advertising required; how proposals are selected, re-evaluated, or re-solicited; construction manager duties; or prohibited conduct.
3. The District, upon statutory requirements, shall require a bidder, proposer, or contractor to obtain or procure a bond or bonds, including but not limited to bid bonds, payment bonds and performance bonds, Securing of such bonds will not be from a particular insurance or surety company, producer, agent, or broker in connection with any contract for the construction of public works.
4. As required by RSMo 290.550-580, during periods of excessive unemployment as declared by the Missouri Department of Labor and Industrial Relation's Division of Labor Standards, it is the responsibility of the

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Contractor to ensure all personnel involved in constructing public works for the District, must only employ non-executive, non-supervisory, or non-technical workers from Missouri or from nonrestrictive states on those projects. The Contractor shall have no claim against the District for failing to perform this duty.

(see <http://labor.mo.gov/DLS/PrevailingWage/excessiveunemployment.asp> for a lists of restrictive and nonrestrictive states).

5. As required by RSMo 290.230, prevailing wage rates are required on new construction and major renovations of the District's public works:
 - a. As required by RSMo 290.250.1 and 290.325, before advertising for bids, awarding a contract, undertaking, or disbursing any funds for construction of public works, the District shall request a determination of Jefferson County prevailing wages;
 - b. The District shall attach to and make a part of the specification for the construction of public works, the schedule of prevailing wage rates;
 - c. The Board of Directors shall specify the prevailing wage rates in the resolution and in the call for bids for the contract;
 - d. The Board of Directors when awarding the contract shall cause to be inserted in the contract a stipulation to the effect:
 - i. That not less than the prevailing wage rates shall be paid to all workers performing work under the contract; and
 - ii. That the employer shall forfeit as a penalty for each worker employed that is paid less than prevailing wage rates;
 - e. The Board of Directors shall take cognizance of all prevailing wage rate violation complaints;
 - f. The Board of Directors shall cause the Treasurer to withhold and retain from the contractor all sums and amounts due as a result of any prevailing wage rate violation;
 - g. The Board of Directors must approve any written agreement for deductions from wages;
2. As required by RSMo 292.675. 2, any District contractor for purposes of

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construction of public works and any **subcontractor** to such contractor shall provide a ten-hour Occupational Safety and Health Administration (OSHA) construction safety program for their on-site employees.

2. As required by RSMo 292.675.4, the Board of Directors shall specify the contractor and subcontractor employee health and safety requirements and penalties in the resolution, in the call for bids, and in the contract awarded for the contract for construction of public works.
3. All public works contracts made and awarded by the District for construction, **reconstruction** or alteration of any public works project shall provide for prompt payment by the District to the contractor and prompt payment by the contractor to the **subcontractor** and material supplier in accordance with RSMo 34.057.
4. As required by RSMo 34.209, when the District is engaged in procuring or letting contracts for construction of a project, the District shall ensure that bid specification, project agreements, and other controlling documents entered into, required, or subject to approval by the District do not:
 - a. Require or prohibit bidders, offerors, contractors, or subcontractors to enter into or adhere to agreements with one or more labor organizations on the same or related projects; or
 - b. Discriminate against bidders, offerors, contractors, or subcontractors for entering or refusing to enter or to remain signatory or otherwise adhere to agreements with one or more labor organizations on the same or related construction projects.

PROCUREMENT CONSIDERATIONS

1. Authorized purchasers are encouraged to utilize cooperative purchasing:
 - a. Price information, vendor lists, bidder histories, and standard **specifications** may be shared wherever practical and feasible so that maximum value can be obtained;
 - b. Cooperative purchasing agreements to gain better prices and choices and to provide the lowest competitive price consistent with quality and service requirements should be presented for Board of Directors authorization; and

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- c. Purchases may be made from state purchasing contracts if such purchases are in the best interest of the District.

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3. Specifications shall be prepared to:

- a. Address functionality in general terms rather than brand, trade name, or other individual mark, i.e., brand names and numbers, when used, should be for reference purposes and indicate the character or quality desired;
 - b. Assure that competition is not restricted or precluded; and
 - c. Contain an "or equal" or "or acceptable alternate" clause if brand names or numbers are used, with acceptable alternates determined by the authorized purchaser.
4. Standardization and compatibility requirements shall be considered, which can be maintained for purposes of economies in replacement and maintenance.
5. When practical and feasible, the District should test and evaluate all goods, utilizing product association testing reports, independent research laboratories, or governmental testing reports in evaluation criteria.
6. Life cycle cost and energy efficiency shall be included in the criteria used by the District when purchasing energy consuming products.

VENDOR CONSIDERATIONS

1. Nonresponsive vendors shall be given decreased purchase and service contract preferences:
- a. Delivery of goods and services that do not comply with specifications;
 - b. Failure to deliver within the specified time;
 - c. Failure to timely cure one or more noncompliant deliveries;
 - d. Refusal to deliver after submitting a quotation, bid, or proposal and after receiving an order;

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- e. Withdrawal of quotations, bids, or proposals prior to the placing of an order;
- f. Failure to have qualified service available to set up, check out, or instruct District personnel on use of goods;
- g. Failure to have parts to service goods that is part of the agreement or warranty;
- h. Bankruptcy, no longer in business, or other evidence of insolvency;
- i. Failure to comply with applicable District policies, e.g., participation in a federal work authorization program such as E-Verify;
- j. Illegal purchasing practices;
- k. Failure to respond to requests for prices; or
- l. Any other fact which might cause substantial doubt about the vendor's ability to continue as a responsible source and fulfill obligations;

CONFLICTS OF INTEREST CONSIDERATION

1. As required by RSMo105.454, the District Board of Directors, Secretary, Treasurer, Budget Officer, Custodian of Records, or Fire Chief shall not
 - a. Perform any service for any agency of the state, or for the District for receipt or payment of any compensation, other than of the compensation provided for the performance of his or her official duties, in excess of five hundred dollars (\$500) per transaction or five thousand dollars (\$5,000) per year, except on transactions made pursuant to an award on a contract let or sale made after public notice and competitive bidding, provided that the bid or offer is the lowest of at least three bids or offers received;
 - b. Sell, rent or lease any property to any agency of the state, or to the District and received payment in excess of five hundred dollars (\$500) per transaction or five thousand dollars (\$5,000) per year, unless the transaction is made pursuant to an award on a contract let or sale made after public notice and in the case of property other than real property, competitive bidding, provided that the bid or offer accepted is the lowest of at least three bids or offers received;

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- c. Participate in any matter, directly or indirectly, in which he or she attempts to influence any decision of any agency of the state, or the District, when he or she knows the result of such decision may be the acceptance of the performance of a service or the sale, rental, or lease of any property to that agency or to the District for payment in excess of five hundred dollars' (\$500's) value per transaction or five thousand dollars' (\$5,000's) value per year to him or her, to his or her spouse, to a dependent child in his or her custody or to any business with which he or she is associated unless the transaction is made pursuant to an award on a contract let or sale made after public notice and in the case of property other than real property, competitive bidding, provided that the bid or offer accepted is the lowest of at least three bids or offers received;
 - d. Perform any services during the time of his or her office or employment for any pay from any person, firm or corporation, other than the compensation provided for the performance of his or her official duties, by which service he or she attempts to influence a decision of any agency of the state, or of the District;
 - e. Perform any service for pay, during one year after termination of his or her office or employment, by which performance he or she attempts to influence a decision of any agency of the state, or a decision of the District, except that this provision shall not be construed to prohibit any person from performing such service and receiving **compensation** therefor, in any adversary proceeding or in the preparation or filing of any public document or to prohibit an employee of the executive department from being employed by any other department, division or agency of the executive branch of state government; and
 - f. Perform any service for any pay for any person, firm or corporation after termination of his or her office or employment in relation to any case, decision, proceeding or application with respect to which he or she was directly concerned or in which he or she personally participated during the period of his or her service or employment.
2. As required by RSMo 105.458. 1, a Director shall not:

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- a. Perform any service for the District for any payment other than the attendance fees provided for the performance of his or her official duties, except as otherwise allowed; or
 - b. Sell, rent or lease any property to the District for payment in excess of five hundred dollars (\$500) per transaction or five thousand dollars (\$5,000) per year, unless the transaction is made pursuant to an award on a contract let or a sale made after public notice and in the case of property other than real property, competitive bidding, provided that the bid or offer accepted is the lowest of at least three bids or offers received; or
 - c. Attempt, for any pay other than the attendance fees provided for the performance of his or her official duties, to influence the decision of the District on any matter; except that, this provision shall not be construed to prohibit such person from participating for compensation in any adversary proceeding or in the preparation or filing of any public document or conference thereon.
3. As required by RSMo 105.458.2, no sole proprietorship, partnership, joint venture, or corporation, or any business entity in which any Director is the sole proprietor, or a partner having more than a ten percent (10%) partnership interest, shall:
- a. Perform any service for the District for any pay in excess of five hundred dollars (\$500) per transaction or five thousand dollars (\$5,000) per year, unless the transaction is made pursuant to an award on a contract let after public notice and competitive bidding, provided that the bid or offer accepted is the lowest of at least three bids or offers received;
 - b. Sell, rent or lease any property to the District where the pay is in excess of five hundred dollars (\$500) per transaction or five thousand dollars (\$5,000) per year, unless the transaction is made pursuant to an award on a contract let or a sale made after public notice and in the case of property other than real property, competitive bidding, provided that the bid or offer accepted is the lowest of at least three bids or offers received.

RELATED POLICIES

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Medicare Enrollment Information Policy 724
Budgeting 834
Reimbursements 830
Disbursements 836
Charge Accounts 842
Purchase card Purchases 884

STATUTORY REFERENCES

RSMo 34.073 and 34.353
RSMo 67.080
RSMo 105.454 and 105.458
RSMo 285.530
RSMo 321.220(4), 220(6), 600(4), and 600(6)
RSMo 432.070
CFR § 424.516(e)

PASSED AND APPROVED THIS 21 DAY OF October, 2019

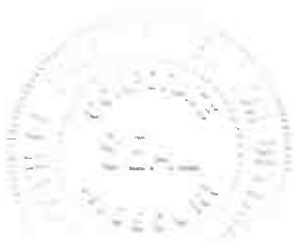


Marvin Boehme, Chairman
Board of Directors

ATTEST:



Annette Acre, Secretary
Board of Directors



APPROVED:



Marvin Boehme



Annette Acre



Sherri Hensley



Ron Beckett

