
HAMBURG TOWNSHIP



ADMINISTRATIVE POLICIES AND PROCEDURES MANUAL

Effective Date:

Rescinds:

Title: **FINANCIAL ADMINISTRATION**

No: **4.0**

4.0 FINANCIAL ADMINISTRATION

4.1 Accounts Payable

4.1(a) Department Head Authorization.

All requests for payments, i.e., invoices or expense vouchers, shall be processed in accordance with Section 4.8(d) of this manual, and shall be approved by the department head responsible for the cost center to which the expense shall be posted. The department head shall indicate that the expense is authorized and correct by affixing the account number and his or her initials to the invoice. All approved bills must be submitted to the accounting department at least 5 days prior to the Board meeting at which claims will be audited for approval.

4.1(b) Warrant Reports.

The Clerk shall prepare an account payable listing-report to the Board showing the vendor name, nature of the expense, invoice number and account number. Any items paid prior to board audit, as discussed in Section 4.8(e), shall be noted on the warrant report.

The Clerk shall sign the accounts payable checks for all claims approved by the Board

4.2 Payroll

4.2(a) Time Sheets.

All completed time sheets shall be submitted to the payroll department on the Friday before the next payroll date. Time sheets will be signed by both the employee and the employee's department head. Time sheets are also required for per diem requests.

4.2(b) Deductions and Withholdings.

The Human Resource Department shall be notified at least 5 days prior to the end of the pay period of any changes in voluntary deductions or withholding allowances desired by an employee. All voluntary deductions shall be authorized in writing.

4.2(c) Pay Advances.

Pay advances shall not be authorized under any circumstances.

4.2(d) Payroll Problems.

Employees will immediately notify the Human Resource Department of any problems or errors on their paychecks. A written account of the problem and its resolution shall be prepared by the Human Resource Department.

4.3 Cash Receipts

4.3(a) Fiduciary Bonds.

All employees authorized to receive funds shall be bonded through our liability insurance provide

4.3(b) Receipts.

A Township receipt shall be issued for all cash, including checks, received by the Treasurer's office. The receipt shall include the date and amount received, name of the payer, and purpose.

4.3(c) Deposits.

Total cash collected shall be reconciled to the sum of the receipts and shall be deposited in the appropriate Township bank account. The following positions are authorized to make bank deposits: All Treasury Department employees.

4.3(d) Bank Reconciliations.

The cash balances of the various fund ledgers shall be reconciled to the bank statements monthly. The cash balances should be the result of the cash receipts and disbursement activities and shall be derived from the same accounting records used in preparing the financial reports discussed in Section 4.5(a).

The bank reconciliation shall be prepared by the Accounting Specialist and approved by the Director of Accounting.

4.4 Accounts Receivable

4.4(a) Invoice Preparation.

The Billing Clerk shall prepare invoices for revenues due to the Township. All invoices shall include a remittance advice to be returned to the Township with payment. The remittance advice shall include the name, amount invoiced, and purpose. A copy of the invoice shall be supplied to the department responsible for generating the invoice.

4.4(b) Posting and Distribution.

A copy of all invoices or bills for moneys received by the Township shall be given daily to the Billing Clerk who shall supply the information to the Accounting Department for posting receivables to the general ledger.

The Billing Clerk shall maintain a detailed subsidiary record by individual which shall be reconciled to the general ledger control on a monthly basis.

4.4(c) Method of Accounting.

For all remittance advices received in accordance with Section 4.3(c), the accounting department shall credit the receivable. A monthly listing of all amounts invoiced but not yet received shall be prepared and reconciled to the general ledger as discussed in Section 4.4(b).

4.4(d) Utility Billing

Hamburg Township bills residents quarterly for flat rate sewer. When the residents receive their utility bill they have thirty (30) days to pay without a penalty. On the thirty first (31) day a 10% penalty will be added. The residents can pay their bill at the township or through the township's web site. Removal of these penalties must be approved by the Accounting Director or the DPW Director.

For any utility bill outstanding as of August 31, the outstanding amount will be rolled over to the tax bills for payment, with a ten percent (10%) fee added to the balance.

4.4(e) Portage-Base Lakes Area Water and Sewer Authority

Hamburg Township has entered into an agreement with Portage-Base Lakes Area Water and Sewer Authority to provide operations, maintenance, testing and monitoring, repairs, financial record keeping, and emergencies. This contract covers the cost of these tasks and that Portage-Base Lakes Area Water and Sewer Authority agrees to pay.

4.5 Financial Reporting

4.5(a) Finance Control Book.

The Treasurer and the Accounting Director shall prepare a monthly financial report (Finance Control Book) to the Board of Trustees each month. The Finance Control Book shall include the following:

1. 5-year Financial Projections
2. 10-year taxable values
3. Cash Summary for Month
4. Consolidated Cash Flow Statement
5. Yearly Debt Schedule
6. Fund Balance History
7. Millage Rate History
8. Monthly Banking Report
9. Monthly Revenue and Expenditure Reports
10. Approved Financial Institution Report

4.6 Inventory of Fixed Assets

4.6(a) Responsibility.

The Accounting Department shall maintain an inventory of the Township's fixed assets that are tangible, have an expected useful life of at least one year and have a value of at least \$2,500.00.

4.6(b) Updating.

The Accounting Department shall add or remove fixed assets from the inventory at the time of acquisition or disposal.

4.6(c) Disposal of Fixed Assets.

The Department heads shall prepare a list of all such equipment recommended for disposal and shall submit the recommended disposal of fixed assets list to the Board for approval. The Board shall determine the method of disposal, which may include MIBid, sealed bids, auction, negotiated sale, gift or disposal. Township officials and employees are not eligible to purchase Township fixed assets by negotiated sale without the approval of the Board. An elected official shall refrain from voting on any negotiated sale involving the elected official.

4.7 Budgeting

4.7(a) Designation of Budget Officer.

The Supervisor or their designee shall be responsible for the development and administration of the Township budget.

4.7(b) Timetable.

The proposed budget schedule shall be developed by the Supervisor and Accounting Director each year and approved by the Board.

4.7(c) Adoption.

Unless noted in the General Appropriations Act, all Township funds are adopted on a department of function basis.

4.7(d) Transfer Authority.

The Accounting Director shall have authority to make transfers among the various line items within departments. Transfers between departments may be done by Board approval only. The Board shall be notified at its next meeting of any such transfers made, and the Board may modify, amend or nullify any such transfers made. Under no circumstance may the total amount of appropriations be changed without prior Board approval.

4.8 Purchasing Policy

4.8(a) Purpose

The purchasing policy is used to initiate and control purchases. The purpose of the purchasing policy procedure is to facilitate a more complete accounting control and the preparation of accurate, up-to-date, financial reports. The program allows the issuance of purchases with pre-defined terms. This will assist in making purchases at the best price possible and the best terms.

4.8(b) Purchasing Procedure

For all purchases, the Department Head must ensure that budgeted funds are available before the purchase can be ordered. Once the item is received by the department the shipping receipt along with the invoice should be approved by the Department Head and the expense account listed. Then the invoice will be forwarded to the Accounting Department for processing. Purchases up to \$7,501.00 (provided that the funds are

available pursuant to the approved department budget) are approved by the Department Heads. Purchases between \$7,501.00 and \$10,000.00 will require the additional approval of either the Supervisor, Clerk, or Treasurer. Purchases exceeding \$10,000.00 must receive Township Board approval except in cases where the expense is considered an emergency – to protect the health, welfare, safety and wellbeing of the community. In this case, the purchase may be authorized by the Supervisor, Clerk and Treasurer, collectively. If the Supervisor, Clerk and/or Treasurer are unavailable, then consent must be obtained from one or more Trustees for a total of four (4) Board of Trustees members. Expenditures necessary to perform the daily operation functions, i.e.—monthly utilities, membership, yearly maintenance agreements, software renewals and professional services previously approved will not require any additional Board approval.

4.8(c) Vendor List

A W9 form must be obtained from all vendors before the vendor information can be entered into the Accounts Payable program. Where applicable, vendors must also provide proof of liability/casualty insurance and workers comp insurance with the Township to be named as an additional insured on the vendor's insurance policy. If the vendor has no employees they may provide the Township with a copy of a completed Sole Proprietor form, however; if the vendor company is licensed as an LLC they must obtain a Certificate of Liability from their insurance company for workers compensation even if they do not have any employees. Upon collection of the necessary documentation by the Department, the vendor information shall be forwarded to the Purchasing Agent to enter new vendors into the Accounts Payable program.

4.8(d) Receiving Goods Ordered

In most cases the goods ordered will be delivered directly to the Department from the source. Immediately check the goods for condition and quantity. If there are any issues with the shipment, contact the vendor. After examining the goods, sign and date the shipper and return it to the Accounts Payable who will log it as it is received.

4.8(e) Invoice Approval

Once the invoice is received, it must be approved by the Department Head and forwarded to the Accounting Department for payment.

4.8(f) Petty Cash & Petty Cash Purchases

The Treasurer shall maintain petty cash for small emergency purchases, reimbursements to employees, or to pay for a service where payment is demanded prior to delivery.

Petty cash will not be used for purchases that exceed \$100.00. A copy of each receipt and a receipt signed by the recipient of a petty cash disbursement shall accompany all disbursements.

Petty cash accounts are maintained at \$200 for General Fund, \$200 for Police Department, \$300 for Senior Center, and \$300 for Fire Department and may be used by Departments for small purchases, reimbursements and other transactions for which the use of Township checking accounts would be inefficient or impractical.

1. Petty cash funds are "impress" accounts. This means that a specific amount of cash is provided to a Department to be used for departmental business. The petty cash amount is established by the Township Board. One departmental employee must be designated as the "Petty Cash Custodian". This person will be responsible for the Department's petty cash balance.
2. Original requests for petty cash funds must be submitted to the Department Head for approval using the "Petty Cash Request/Replenishment Form".
3. There are two methods of withdrawing funds from petty cash:
 - A. The reimbursement method: Petty cash may be used to reimburse an individual for a purchase that was made using his/her personal funds. Upon presentation of an original receipt, vendor invoice, or other adequate documentation to support the expenditure, the petty cash custodian will reimburse the individual for the exact amount of the purchase.
 - B. The petty cash custodian may advance petty cash to an individual in anticipation of a purchase. Since the purchase has not yet been made at the time of the petty cash withdrawal, the amount withdrawn may vary from the amount of the actual purchase. Documentation must be submitted to the petty cash custodian within three days of purchase. If the actual expenditure is less than the amount advanced, the individual must return the excess cash together with valid documentation of the expenditure. If the actual expenditure was more than the amount advanced, the individual may be reimbursed for the excess amount after submitting adequate documentation to support the expenditure.
4. When the fund needs replenishing, the petty cash custodian will summarize all expenditures on the "Petty Cash Request/ Replenishment Form". The total of all invoices and petty cash vouchers must equal the total of the summarized expenditures. The completed "Petty Cash Request/Replenishment Form" must be signed by the petty cash custodian and approved by the Department Head and submitted to the Accounting Department.

5. Once the Accounting Department has reconciled the activity, they will process the replenishment of the petty cash balance.
6. Petty cash should be secured at all times.
7. A petty cash expenditure is no different from any other expenditure in that all withdrawals from petty cash must be supported by adequate vendor documentation and budgeted funds must be available for the purchase. The employee making the purchase must write on the receipt what was purchased and for what purpose.

4.8(g) Credit and Purchasing Card Usage

This policy is in accordance with Michigan Public Act 266 of 1995, which requires that all municipalities have a written policy when authorizing the use of credit cards to purchase goods and services for official business of the municipalities.

This policy applies to all employees, officials, and departments of Hamburg Township.

1. The Accounting Director with the approval of the Township Supervisor, Clerk and Treasurer, is responsible for issuing, accounting for, monitoring, retrieving and generally overseeing compliance with the Township's Credit Card Policy.
2. The Accounting Director shall maintain a list of all credit cards owned by the Township, along with the name of the officials or employee who have been issued the credit card, the credit limit established, the date issued and the date returned.
3. An official or employee who is issued a credit card is responsible for its protection and custody. If a credit card is lost or stolen, the Accounting Director shall be notified immediately. The entity issuing the lost or stolen credit card shall be immediately notified to cancel the card. The officials or employee must immediately surrender the card upon termination from employment.
4. The official or employee using the credit card must submit documentation detailing the goods or services purchased, cost, date of purchase, and the official business.
5. The Accounting Director shall monitor the use of credit cards and shall review each credit card statement as soon as possible to ensure that transactions comply with this policy. Transactions that do not comply with this policy shall be reported to the Township Supervisor.
6. Employees who use a Township credit card in a manner contrary to this policy shall be subject to disciplinary action and/or termination of employment, as well as to legal action to recover losses incurred by such use.

Authorized use of Township credit cards may be used only by an official or employee of the Township under the following conditions.

1. The purchased goods and/or services are for the official business of the Township.
2. The types of goods and/or services to be purchased are those established by the department heads and the Township's purchasing policy and procedures.
3. The cost of the proposed purchase does not exceed the purchasing policy and procedures.

Payment of Credit Cards charges:

1. The department head will ensure that sufficient funds are available to pay for each purchase and must approve credit card invoices prior to payment.
2. The balance including any interest due on an extension of credit shall be paid for within not more than 60 days of the initial statement.

CREDIT CARD USER AGREEMENT

Requirements of the use of Township-issued credit card:

1. The credit card is to be used only to make legal purchases for the legitimate business of Hamburg Township.
2. The credit card must be used in accordance with the provisions of the adopted credit card use policy established by Hamburg Township.

Violation of these requirements will result in disciplinary measures up to and including dismissal, appropriate criminal and/or civil action.

I have read and understand the Hamburg Township Credit Card Policy and Procedures and I agree to adhere to them.

Signature

Date

4.9 PURCHASE CONTROL

Any purchase in excess of \$10,000 requires Township Board approval, and shall provide proof of solicitation of a minimum of three (3) bids.

Any purchase in excess of \$75,000 requires Township Board approval, following the sealed bid policy.

(a) **Exceptions.** MIBid, sole source vendors, emergency repairs or replacements; routine and operational services; small purchases; and when such procedures are deemed unnecessary and burdensome and not in the best interests of the Township by the Township Board of Trustees are exceptions to the sealed bid and sealed proposal requirements of this Section.

(b) **Purchases of \$10,000 or Less.** All supplies and contractual services not exceeding ten thousand dollars (\$10,000) in cost may be made in accordance with purchase procedures established by the Township Board.

4.9(a) INVITATION FOR BIDS.

- (a) The Invitation for bids is used to initiate the competitive bid process.
- (b) The Invitation for Bids should generally include:
 - 1. Instructions to bidders (time and date set for receipt of bids, address where bids are to be delivered, other special information).
 - 2. Description of proposed purchase.
 - 3. Contract terms and conditions.
- (c) The Invitation for Bids should always reserve the municipality's right to reject any and all bidders.
- (d) The bidding time (the period of time between the date of distribution of the Invitation for Bids and the time and date set for receipt of bids) should be set to provide bidders a reasonable time to prepare their bids.
- (e) The Invitation for Bids may provide a form that includes a space in which the bid price may be inserted and which the bidder must sign and submit along with all other necessary submissions.
- (f) Invitations for Bids or notices of the availability of Invitations for Bids should be furnished to sufficient number of bidders for the purpose of securing competition.

In the case of larger purchases, notices shall be placed in newspapers or applicable trade publications.

4.9(b) NOTICE SOLICITING BIDS OR PROPOSALS.

- (a) **Publication.** A notice inviting bids or requesting proposals shall be published as least once in the most appropriate medium or media, as determined by the Department, at least seven days before the last day set for receiving proposals or bids by the Township. This seven-day time period may be reduced if a written determination is made by the Department that the acquisition is urgent and sufficient vendors have been notified directly. The notice shall include a general description of the articles or services to be acquired and shall state where the complete solicitation package may be secured. The notice shall also include the time and place for submitting and opening bids.
- (b) **Posting.** The Department shall also advertise all pending invitations for bid and requests for proposals by posting a notice on the Township's website.
- (c) **Definitions.** As used in this Section:
 - (1) **"Medium or media"** means and includes, but is not limited to, website postings, Cable TV postings, advertisement in trade magazines, direct mailings, and advertisement in a newspaper of general circulation in The Township.
 - (2) **"Most appropriate medium or media"** means notification in a medium or combination of media which, in the best judgment of the Department, will result in the greatest number of responsible vendors.

4.9(c) PRE-BID CONFERENCES.

- (a) Pre-bid conferences may be conducted to explain the procurement requirements. If used, they should be announced to all prospective bidders known to have received an Invitation for Bids.
- (b) The conference should be held long enough after the Invitation 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.
- (c) Nothing stated at the pre-bid conference should change the Invitation for Bids unless a change is made by written amendment.

4.9(d) PRE-OPENING MODIFICATION OR WITHDRAWAL OF BIDS.

- (a) Bids may be modified or withdrawn by written notice received in the office designated in the Invitation for Bids prior to the time and date set for bid opening.
- (b) **Disposition of Bid Security.** If a bid is withdrawn prior to the time and date set for bid opening, the bid security, if any, should be returned to the bidder.
- (c) **Records.** All documents relating to the modification or withdrawal of bids should be made a part of the appropriate procurement file.

4.9(e) LATE BIDS, LATE WITHDRAWALS AND LATE MODIFICATIONS

- (a) **General Discussion.** Any bid received after the time and date set for receipt of bids is late. Any withdrawal or modification of a bid received after the time and date set for opening of bids at the place designated for opening is late.
- (b) **Treatment.** No late bid, late modification or late withdrawal shall be considered unless received before contract award, and the bid modification or withdrawal would have been timely but for the action or inaction of municipal personnel directly serving the procurement activity.
- (c) **Records/Notice.** Bidders submitting late bids that will not be considered for award should be so notified as soon as practicable. Records shall be made and kept for each late bid, late modification, or late withdrawal.

4.9(f) MISTAKES IN BIDS.

- (a) **General Discussion.** Correction or withdrawal of a bid because of an inadvertent, non-judgmental mistake in the bid requires careful consideration to protect the integrity of the competitive bidding system, and to assure fairness.
 - 1. If the mistake is attributable to an error in judgment, the bid may not be corrected.
 - 2. Bid correction or withdrawal by reasons of a non-judgmental mistake is permissible, but only to the extent that it is not contrary to the interest of the Township or the fair treatment of other bidders.
- (b) **Mistakes discovered before opening.** A bidder may correct mistakes discovered before the time and date set for bid opening by withdrawing or correcting the bid.
- (c) **Confirmation of Bid.** When the Department knows or has reason to conclude that a mistake has been made, the Department should request a bidder to confirm the bid. Examples:

1. Obvious apparent errors on the face of the bid, or
2. Bid unreasonably lower than the other bids submitted.

(d) **Mistakes discovered after Award.** Mistakes may not be corrected after award of the contract, except where the Township Board of Trustees makes the determination that it would be unconscionable not to allow the mistake to be corrected.

4.9(g) BID DEPOSITS.

Under certain circumstances, bid security (cash deposits, bonds, etc.) may be advisable.

When deemed necessary by the Department, bid deposits shall be required and shall be prescribed in any published notice inviting bids, as well as in the bidding documents. Unsuccessful bidders shall be entitled to return of such deposit or surety. A successful bidder shall forfeit any surety or deposit required by the Township if he fails to enter into the contract within the time required in the specifications or bidding documents, unless such forfeiture is waived or the time limit extended by the Township Supervisor or Board of Trustees.

4.9(h) RECEIPT, OPENING, AND RECORDING OF BIDS.

(a) **Receipt.** Sealed bids shall be submitted only to the office of the Clerk's Office on the prescribed forms, or another Township official as designated in the solicitation for bids, on or before the date and time specified for the receipt of bids or proposals in the invitations to bid and bidding instructions. Upon its receipt, each bid and modification should be time-stamped but not opened and should be stored in a secure place by the Purchasing Agent until the time and date set for bid opening.

(b) Opening and Recording.

1. Bids shall be publicly opened by the Department or the designee of the Department, in the presence of 1 or more witnesses, at the time, day and place specified in the invitation to bid and bidding instructions. All persons interested shall be allowed to be present at the bid opening. The names and addresses of witnesses shall be recorded at the opening.
2. The name of each bidder and the total amount of each bid shall be read aloud by the Department representation or their assistants, as well as, in appropriate cases, the unit cost of each substantial item making up the total amount of each bid.
3. All bids and specifications and invitations to bid shall be preserved and available for public inspection at the office of the Department for a period of not less than

one year from the date the bids are submitted, with respect to any specific commodity or proposal.

- (a) Exceptions shall be limited to the extent that trade secrets or other proprietary data may be confidential under the Freedom of Information Act. Confidential material that accompanies the bids must be readily separable from the bid in order to facilitate public inspection of the non-confidential portion of the bid.
- (c) **Tabulation.** A tabulation of all bids shall be made by the Department and be available for public inspection. Tabulations may be posted on the Township's website.
- (d) **Analysis.** The Township Board of Trustees or designee of the Board shall examine all bid tabulations and recommendations from the Department to select the lowest responsible bidder.
- (e) **Substantially Low Bid Review.** In the event the amount of the lowest bidder's bid appears disproportionately low when compared with estimates undertaken by or on behalf of the Township and/or compared to other bids submitted, the Department reserves the right to inquire further of the apparent lowest bidder to determine whether the bid contains mathematical errors, omissions, or erroneous assumptions and whether the apparent lowest bidder has the capacity to perform a complete contract for the bid amount.

4.9(i) REQUESTS FOR PROPOSAL (RFP) OPENING PROCEDURE.

Requests for proposals (RFP) are often used to solicit professional services, i.e. Engineers, Auditors, Attorneys, Planners, and other professional consultants; this process is referred to as Qualifications-Based Selection ("QBS").

An RFP should include as much detail about the proposed project or requested services as possible. More information will allow more complete and relevant proposals. Successful RFP's should include the following:

1. The RFP should solicit relevant information about the firm's personnel, their particular qualifications, and experience with similar engagements.
2. The Township may consider publishing the notice of RFP in relevant trade publications to increase the response rate.
3. Send the RFP to firms recommended by other municipalities (call around to other municipal officials or the applicable municipal association).

- (a) **Receipt of Sealed Proposals.** Sealed proposals shall be submitted only to the office of the Department on the prescribed forms, or another Township official as designated in the solicitation for proposals on or before the date and time specified in the request for proposals and related instructions. Sealed proposals shall be marked as to the time and date received at the office of the Department or other designated Township official by someone in that office.
- (b) **Opening.** Proposals shall not be considered fully received for the purpose of Freedom of Information Act requests until the Township has determined that no additional clarifications or revisions of offers shall be accepted; therefore, no details of proposals shall be released until contract award. After contract award, all proposals shall be preserved and available for public inspection at the office of the Department for a period of not less than one year from the date the proposals are submitted.
- (c) **Analysis.** The Township Board of Trustees or designee of the Board shall examine all proposal recommendations from the Department to select the proposal of best value or to select those firms they wish to further review prior to awarding a contract. If the Board wishes to interview those selected firms, the following should be completed:
 - 1. Interview each firm, meet the professionals who will actually do the work.
 - 2. Contact references and past clients.
 - 3. Visit the firms' offices and specific projects they have handled (if applicable).
 - 4. Rank the firms based upon Board consensus.
- (d) **Rejection of Proposals.** The Township Supervisor, Department Head, or the Township Board of Trustees has the authority to waive any irregularity of informality in any proposal and reject any or all proposals, in whole or in part.

4.9(j) AWARDING OF CONTRACTS.

- (a) **Authority.** Except as provided by subsection (b) of this section, the Township Board shall award all contracts after receiving the recommendation of the Department or other designated Township official.
- (b) **Exceptions.** A Township Administrator (Supervisor, Clerk and Treasurer) is authorized to enter:

- (1) All contracts that do not exceed ten thousand dollars (\$10,000);
 - (2) All contracts for expenditures necessary to perform statutory functions, i.e. assessment notices, tax bills, etc. do not require prior Board approval provided that the goods or services are within budget, and if the contract adheres to current purchasing policies; and
 - (3) All sole-source contracts not more than ten thousand dollars (\$10,000).
- (c) **Bid Selection.** Contracts, except as otherwise provided in this chapter, shall be awarded by the Township Board giving consideration to the following;
- (1) The ability, capacity and skill of the bidder to perform the contract or provide the service required;
 - (2) Whether the bidder can perform the contract or provide the service promptly or within the time specified, without delay or interference;
 - (3) The character, integrity, reputation, judgment, experience and efficiency of the bidder;
 - a) The Township shall require the bidder to provide proof that they are responsible in paying their property taxes; both real and personal; whether it be in this township or other municipalities.
 - (4) The quality of performance of previous contracts or services;
 - (5) The previous and existing compliance by the bidder with laws and ordinances relating to any contract or service;
 - (6) The sufficiency of the financial resources and ability of the bidder to perform the contract or provide the service;
 - (7) The quality, availability and adaptability of the supplies or contractual services to the particular use required;
 - (8) The ability of the bidder to provide future maintenance and service for the use of the subject of the contact; and
 - (9) The number and scope of conditions attached to the bid.
- a) **Tie Bids.** If two or more low bids are received for the same total amount or unit price, and the quality and service are equal, the contract shall be

awarded to one of the tie bidders by drawing lots in public, unless one of the bidders is a taxpayer or resident of the Township, in which case such taxpayer or resident shall be awarded the contract.

- b) **Default.** The Department shall not accept the bid or proposal of a vendor or Contractor who is in default to the Township.

4.9(k) AWARDING OF CONSTRUCTION PROJECT CONTRACTS.

(a) **Bid Selection.** The Township Board of Trustees shall award Municipal building construction project contracts in the amount of five thousand dollars (\$5,000) or more to the lowest responsive, responsible bidder as determined by this section.

(b) **Definitions. As used in this section:**

- (1) "Township" means the Township Board of Trustees, Township Supervisor, Purchasing Agent or their designees.
- (2) "Construction project" means the labor and material necessary for the construction, renovation, repair or improvements of a Township-owned building, except repair in emergency situations.
- (3) "Lowest responsive, responsible bidder" means the responsible contractor with the lowest bid which satisfies the requirements of all local, State and Federal laws, this section, any bid documents used to solicit bids, and any other guidelines and specifications required for the construction project.
- (4) "Responsible contractor" means any contractor or sub-contractor who is sufficiently qualified to satisfactorily perform the construction project, or any relevant part of the construction project as determined by the Township, based on the following:
 - A. An overall review of the contractor or subcontractor's evidence of compliance or lack of compliance with the responsibility criteria, as described in this section;
 - B. The contractor or sub-contractors' compliance with all applicable local, State and Federal laws; and
 - C. Input from the Township's architect and/or construction manager, if applicable.

(c) **Responsibility Criteria.** The Township Supervisor and Board of Trustees shall consider at least each of the criteria listed in this section in determining whether a contractor is a responsible contractor. The list set forth in this section does not

preclude any additional criteria that the Township may deem relevant for making a determination of contractor responsibility. Any criteria deemed relevant by the Township that is in addition to the items listed in this section shall be specified in the documents soliciting bids together with the requirements of this section.

- (d) **Bid Documents.** This bid documents for a construction project shall require any contractor or subcontractor bidding on the construction project, or any part of the construction project, to submit with its bid, written responses and other supporting or explanatory information demonstrating its compliance, or non-compliance and the reason for such non-compliance, with the listed responsibility criteria and any other criteria declared pertinent by the Township and included in the bid documents. For each separate bid package of a construction project, the Township may accord such weight as it deems appropriate to the responsibility criteria and any other criteria included in the bid documents for purposes of determining whether a contractor is a responsible contractor.
- (e) **Criteria.** The Township will consider the following information in determining whether or not a contractor is a responsible contractor. As used in this section, "contractor" includes any subcontractor holding a subcontract of five thousand dollars (\$5,000) or more. This list is not intended to be all inclusive or exhaustive:
- (1) General information about the contractor's company, its principles and its history, including the State and date of incorporation;
 - (2) Trade categories of contractor's employees and information regarding the State and local licenses and license numbers held by the contractor;
 - (3) A confirmation that all subcontractors, employees and other individuals working on the construction project will maintain current applicable licenses with the Michigan Bureau of Construction, Codes and Fire Safety, and as may otherwise be required by law for all licensed occupations and professions;
 - (4) The ratio of masters or journey persons to apprentices proposed to be used on the construction project job site;
 - (5) Documentation that the contractor maintains, participates in and contributes to a bona fide apprentice training program in which less than full journey-persons utilized on the project will be participants; as used in this section "bona fide apprentice training program" means a training program registered and approved by the United States Department of Labor, Bureau of Apprenticeship and Training Programs;

- (6) Documentation of a completed Michigan Occupational Safety and Health Administration approved safety training program for employees used on the proposed job site;
- (7) Evidence of the contractor's Workers' Compensation Experience Modification Rating (EMR). A bidder with a current EMR greater than 1.1 will not be considered a responsible contractor under this section;
- (8) A list of similar or comparable projects completed within the past five years, including dates of work and each project's approximate dollar value and size. Documentation from these previous projects of comparable size or complexity, including but not limited to all costs related to the bidder's timeliness, performance, quality of work, extension requests, contractual fines and penalties imposed, including proof of such fines and penalties, and liens filed, history of claims for extra work and any contract defaults with an explanation of the reason for the default and how the default was resolved;
- (9) Evidence of contractor's experience with construction techniques, trade standards, quality workmanship, project scheduling, cost control, management of projects of comparable size or complexity, and building codes by documenting the bidder's ability and capacity to perform the project. The bidder must identify those portions of the project it reasonably believes will be subcontracted and the names of the subcontractors;
- (10) A list of individuals or contact persons for entities that have received in the past five years, or are currently receiving, the contractor's services from which references may be obtained, which shall include contacts for any similar or comparable projects; and include information regarding the records of performance and job site cooperation;
- (11) Audited financial information current within the past twelve months, such as a balance sheet, statement of operations, and bonding capacity. Evidence that the applicant has financial resources to start up and follow through on the project and to respond to damages in case of default, as shown by written verification of bonding capacity equal to or exceeding the amount of the project. The written verification must be submitted by a licensed surety company rated B+ or better in the current A.M. Best Guide and qualified to do business within the State of Michigan.
- (12) A warranty statement regarding labor and materials;
- (13) A list of all litigation and arbitrations currently pending and within the past five years, including an explanation of each. Evidence of satisfactory resolution of claims filed by or against the contractor asserted on projects of the same or

similar size within the past five years. Any claim against the contractor shall be deemed to have been satisfactorily resolved if final judgment is rendered in favor of the contractor or any final judgment rendered against the contractor is satisfied within ninety days of the date the judgment became final;

- (14) Proof of insurance, including certificates of insurance naming the Township as an additional insured, confirming existence and the amount of coverage for liability, property damages, workers' compensation and any other insurances required by the proposed contract documents;
 - (15) Evidence of compliance with the Fair Labor Standards Act, and with regulatory agencies such as the Environmental Protection Agency; the Michigan Department of Labor and Economic Growth, including the Occupational Safety and Health Administration, Workers' Compensation Agency, the Wage and Hour Division; and all other applicable State and Federal laws or agencies;
 - (16) Evidence of any quality assurance program used by the contractor and the results of any such program on the contractor's previous projects;
 - (17) Contractor's policy addressing drugs and alcohol use for employees working on the project site;
 - (18) Documentation of whether the contractor provides health insurance and pension benefits to its employees;
 - (19) Assurance that all construction work for this project shall proceed economically, efficiently, continuously and without interruption.
- (f) Effective Date. This section is effective for any solicitation of bids or proposals for construction projects issued by the Township on or after July 1, 2022.

4.9(I) PURCHASE ORDERS.

Where required the purchase order is the legal document used by the Township to initiate and control purchases. A purchase order shall be deemed a sufficient written contract within the meaning of this Section when the interests of the Township are protected by its use.

4.9(m) RESPONSIBILITY FOR INSPECTION AND ACCEPTANCE.

The responsibility for the inspection and acceptance of all materials, supplies or services purchased by the Township shall rest with the Department or other Administrative officer

as may be designated by the Township Board, with respect to the particular commodity or service purchased.

4.9(n) PREVAILING WAGES ON TOWNSHIP PROJECTS.

(a) If, and to the extent required by state or federal law, or by a voluntary agreement between an employer and the Township in connection with the provision of services directly to the Township or in connection with the receipt of a grant, tax abatement, or tax credit from the Township, no project, in an initial amount of two thousand dollars (\$2,000.00) or more for the performance of services or work for and on behalf of the Township, involving craftsmen, mechanics and laborers employed directly upon the site of the work, shall be entered into, approved or executed unless a contract, agreement, understanding or arrangement provides and requires that all craftsmen, mechanics and laborers so employed are to be paid not less than the wages and fringe benefits prevailing in the locality of the building trades industry for corresponding classes of craftsmen, mechanics and laborers, as published as of the time of execution of the contract by the Michigan Department of Labor and Economic Growth, Wage and Hour Division. In addition, such contract, agreement, understanding or arrangement, shall provide that all subcontracts entered into by the contractor shall contain the provisions set forth in this subsection with respect to the contractor, and all such contracts, agreements, understandings or arrangements shall provide that all contractors and subcontractors engaged in the performance of services or work for the Township, to which this section applies, shall as required by this section, furnish payrolls to the Township if applicable.

(b) As used in this section:

- (1) "Craftsmen, mechanics and laborers" means all skilled and unskilled craftsmen, mechanics, laborers, workers, and apprentices, but not executive, administrative, professional, supervisory, office or custodial employees.
- (2) "Construction work" means new construction, alterations, repair, installation, completion, demolition, or improvement of a Township-owned or Township-occupied building or other public works.
- (3) "Fringe benefits" means compensation due an employee pursuant to a written contract or written policy for holiday, time off for sickness or injury, time off for personal reasons or vacation, bonuses, authorized expenses incurred during the course of employment, and contributions made on behalf of an employee.

- (4) "Locality" means the Township of Hamburg or Livingston County.
- (5) "Project" means construction work to be contracted by the Township by one or more contracts for which the Township establishes a single budget; or construction work to be contracted by the Township when the Township Board declares a contract or group of contracts to be a project. The Township Board shall make this declaration at the time of establishing the budget for the work or later, but before bidding the contracts for the construction work to be declared a project.
- (6) "Wages" means all earnings of an employee whether determined on the basis of time, task, piece, commission, or other method of calculation for labor or services except those defined as fringe benefits.
- (c) All solicitations for construction projects shall contain the prevailing wages and fringe benefits in effect at the time the solicitation is issued. The wage scales to be paid shall be posted by the contractor in a prominent and easily accessible place at the work site. The Township Supervisor is hereby directed to see that the provisions of this section are contained in and complied with in all contracts, agreements, understandings or arrangements for work or services to be performed for the Township in accordance with this section.
- (d) If applicable, certified weekly payrolls covering the project contractor's and each subcontractor's work force shall be submitted to the Township Director of Accounting or the Township's designee. All payrolls submitted shall identify by name all employees working on the project contract during the weekly reporting period, their place of residency, their trade, their classification within that trade, and all wages and fringe benefits paid. Supervisory personnel must be reported as well as craftsmen, mechanics and laborers to ensure full Township income tax compliance. Failure to make any such report can result in the Township withholding payments on the contract until such reports are filed, at the Township's option. In addition, each failure to file such payroll within seven (7) business days of the receipt of a notice from the Township of such failure, or any deliberate misrepresentation or false statement contained in such report, shall be deemed a violation of this section, punishable pursuant to guidelines established by the Township Board.
- (e) The Township Supervisor or his or her designee is hereby authorized to withhold payment to such project contractors or subcontractors who fail to pay prevailing wages and fringe benefits as required in subsection (a) hereof in such amounts as may be required to compensate such craftsmen, mechanics and laborers with the amount of money they should have received under subsection hereof.

4.9(o) EQUAL OPPORTUNITY AND FELONY RE-ENTRY EMPLOYMENT

- (a) The Township shall accept bids for goods and/or services in the amount of ten thousand dollars (\$10,000) or more from only those persons, partnerships or corporations that are committed to equal opportunity employment of all persons, consistent with Article I, Section 26 of the Michigan Constitution and which has adopted a hiring policy which does not preclude a person with a felony conviction from being considered for employment unless otherwise precluded by State or Federal law.
- (b) This section shall apply to all subcontractors holding subcontracts of ten thousand dollars (\$10,000) or more when such subcontractors are a direct and inclusive result of a Township purchase or contract of ten thousand dollars (\$10,000) or more.
- (c) Any contractor, subcontractor, supplier or vendor which is subject to this section and who employs fifteen or more employees, shall submit equal opportunity employment compliance documentation with their bid or proposal.
- (d) Any contractor, subcontractor, supplier or vendor which is subject to this section and who employs fifteen or more employees, shall submit in writing with its bid or proposal, its hiring policy which shall provide that a felony conviction is not an absolute bar to, or otherwise preclude, possible employment with the contractor, subcontractor, supplier or vendor.
- (e) Failure to submit the equal opportunity employment and felony conviction re-entry to employment policy documentation required by this section shall render the bid or proposal non-responsive.

4.9(p) DISPOSITION OF UNCLAIMED PROPERTY

All unclaimed, abandoned or other property of any description which comes into the possession of the Hamburg Township Police Department shall be disposed of in compliance with state law and pursuant to Hamburg Township Police Department SOP# 300-3: *Evidence and Property*.

4.9(q) DISPOSAL OF SURPLUS MATERIAL OR EQUIPMENT, SALVAGE AND UNCLAIMED PROPERTY

Shall be auctioned on MIbid for not less than 10 days.

4.10 Expense Reimbursements

4.10(a) Request Form. The Township shall reimburse all officials and employees for necessary expenses incurred in performing their duties. All requests for expense reimbursement shall be made on the proper expense reimbursement form.

4.10(b) Reimbursement Rates. Travel shall be reimbursed at the current IRS approved mileage rate. Personal use of vehicles is restricted to when Township vehicles are not available. Reasonable meal and lodging expenses will be reimbursed.

4.10(c) Personal Expenses. Receipts shall accompany any reimbursement requests. Commuting from residence to the Township hall or the employee's official work station shall not be eligible for reimbursement. Board and committee members shall not receive mileage to attend Board meetings that are a statutory duty of their office. Personal expenses that are unnecessary in conducting Township business, such as entertainment and alcohol consumed, shall not be eligible for reimbursement.

4.11 Investment Policy

(CREATED: November 5, 2009; REVISED: May 15, 2018; REVISED July 3, 2019)

4.11(a) Purpose

It is the policy of Hamburg Township to invest public funds in a manner, which will provide maximum security with the highest investment return while meeting the daily cash flow demands of the Township and conforming to all State statutes and local Ordinances governing the investment of funds.

4.11(b) Scope

This investment policy applies to all transactions involving the financial assets and related activity of the Township except for its employee pension/retirement funds and employee deferred compensation funds that are organized and administered separately. These funds are accounted for in the audit report and include the following funds:

1. General Fund
2. Enterprise Fund
3. Capital Improvement Fund
4. Trust and Agency Fund
5. Road Fund
6. Police Fund
7. Fire Fund
8. Park Land Purchase Fund
9. Drug Enforcement Fund
10. Special Assessment Funds

11. Any new funds created by the Township Board, unless specifically exempted by the Township board

4.11(c) Investment Objectives

Funds of the Township will be invested in accordance with Michigan Public Act 20 of the Public Acts of 1943, as amended, and in accordance with the following objectives in order of priority.

1. Safety – Safety of principal is the foremost objective of the investment program.

The primary objective of the Hamburg Township investment activities is the preservation of capital in the overall portfolio and the protection of investment principal.

2. Diversification – The investments shall be diversified or restricted by specific maturity dates, individual financial institution(s) or a specific class of securities as may be set forth by Board amendment to this policy and in order that potential losses on individual securities do not exceed the income generated from the remainder of the portfolio.

3. Liquidity – The investment portfolio will remain sufficiently liquid to enable Hamburg Township to meet operating requirements that might be reasonably anticipated. Further, it is specifically intended that an investment strategy that ensures short term (two years or less) versus longer term be followed.

4. Return on Investment – Subject to the foregoing constraints, Hamburg Township will strive to maximize the return on the investment portfolio. The portfolio shall be designed with the objective of obtaining a rate of return appropriate to existing budgetary and economic cycles, taking into account the investment risk constraints and cash flow characteristics of the portfolio.

4.11(d) Investment Procedures

The Treasurer shall establish written administrative procedures for the operation of the Township's investment program as well as internal controls which shall include clear delegation of authority to personnel responsible for investment transactions. The procedure shall be designed to prevent losses of public funds arising from fraud, employee error, misrepresentation by third parties or imprudent actions by employees and officers of the Township.

4.11(e) Delegation of Authority

Responsibility for the establishment of the Township's Investment Policy rests solely with the Township Board of Trustees.

Authority to manage the investment program related to implementation of the Township Investment Policy is derived from MCL 41.75, as amended. Management responsibility for the investment program is hereby delegated to the Township Treasurer (Investment Officer), who shall establish written procedures and internal controls for the operation of the investment program, consistent with this investment policy. No person may engage in investment transactions except as provided under the terms of this policy and the procedures established by the Investment Officer.

The Investment Officer shall be responsible for all transactions undertaken and shall establish a system of controls to regulate the activities of subordinate officials.

An Investment Committee may meet on an as-needed basis, whose sole purpose shall be to advise the Treasurer on overall Banking, Depository and Investment strategy, Primary banking structure and relationship and specific investment selection and evaluation of the Township's Investment portfolio. The committee shall consist of the Director of Accounting, the Deputy Treasurer and two members of the Township's Board of Trustees.

4.11(f) Ethics and Conflict of Interest

Officers and employees, including any officials appointed to an Investment Committee by the Township Board, shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions. Employees, Investment Committee members, and investment officials shall disclose to the Township Board any material financial interest in financial institutions that conduct business with this Township and they shall disclose any large personal financial/investment positions that could be related to the performance of the Township's portfolio. Employees, Investment Committee members, and officials shall subordinate their personal investment transactions to those of the Township particularly with regard to the timing of purchases and sales.

4.11(g) Qualified Financial Dealers and Institutions

The Township shall maintain a listing of depositories and financial institutions, which are approved for depository and investment services by the Board of Trustees. In addition, the list will include approved security broker/dealers, who maintain an office in the State of Michigan or who are "primary" dealers or regional dealers that qualify under Security & Exchange Commission Rule 15C3-1. No public deposit shall be made except in a qualified public depository as established by State statute.

All financial Institutions and broker/dealers who desire to become qualified bidders for investment transactions must supply to the Treasurer and the Board, at minimum, their quarterly and annual audited financial statements for the most recent fiscal year,

certification of having read the Hamburg Township investment policy and the pertinent State statutes, proof of National Association of Security Dealers certification if appropriate and proof of State registration, where applicable. In addition, they must provide schedules of rates and fees for all transaction types and investment products.

Changes in the financial condition of "Approved Financial Institutions" shall be immediately brought to the attention of the Board of Trustees with an associated recommended action for the Boards consideration.

It shall be the responsibility of the Board, Investment Committee or the Treasurer to ensure compliance with these provisions.

4.11(h) Authorized and Suitable Instruments

All investments shall be made in strict accordance with Public Act 20 of the Public Acts of 1943, as amended, (see attachment "Investment of Surplus Funds of Political Subdivisions") and Public Act 7 of the Public Acts of 1967, as amended (see attachment "Urban Cooperation Act of 1967"). The State of Michigan does not require collateralization of all public funds, but the Township will seek collateralization of its investments that exceed the FDIC insured amount, and require collateralization of any repurchase agreements (see below).

The following investment types are specifically authorized:

- Bonds, securities, and other obligations of the United States or an agency or instrumentality of the United States.
- Certificates of deposit, savings accounts, or depository receipts of a financial institution, but only if the financial institution complies with MCL 129.91(2); certificates of deposit obtained through a financial institution as provided in MCL 129.91(5); or deposit accounts of a financial institution as provided in MCL 129.91(6).
- Commercial paper rated at the time of purchase within the 2 highest classifications established by not less than 2 standard rating services and that matures not more than 270 days after the date of purchase.
- Repurchase agreements consisting of bonds, securities, and other obligations of the United States or an agency or instrumentality of the United States. In such cases, a Master Purchase Agreement shall be entered into only with **primary dealers** reporting to the Federal Reserve Bank of New York (or with firms that have a primary dealer within their holding company structure), or with **approved depository banks** that have executed an approved Master Repurchase Agreement with the Township. The Treasurer shall maintain a copy of the Township's approved Master Repurchase Agreement along with a list of the counterparties who have executed a Master Repurchase Agreement with the Township. All repurchase agreement investments must be collateralized.

- Bankers' acceptances of United States banks.
- Obligations of this state or any of its political subdivisions that at the time of purchase are rated as investment grade by not less than 1 standard rating service.
- Mutual funds registered under the investment company act of 1940, 15 USC 80a-1 to 80a-64, with authority to purchase only investment vehicles that are legal for direct investment by a public corporation. However, a mutual fund is not disqualified as a permissible investment solely by reason of any of the following:
 - (i) The purchase of securities on a when-issued or delayed delivery basis.
 - (ii) The ability to lend portfolio securities as long as the mutual fund receives collateral at all times equal to at least 100% of the value of the securities loaned.
 - (iii) The limited ability to borrow and pledge a like portion of the portfolio's assets for temporary or emergency purposes.
- Obligations described herein if purchased through an interlocal agreement under the Urban Cooperation Act of 1967, 1967 (Ex Sess) PA 7, MCL 124.501 to 124.512.
- Investment pools organized under the Michigan Surplus Funds Investment Pool Act, 1982 PA 367, MCL 129.111 to 129.118.
- The investment pools organized under the Local Government Investment Pool Act, 1985 PA 121, MCL 129.141 to 129.150.

Prior to investing in any governmental-sponsored investment pools or money market mutual funds, the Treasurer must review the potential investments for fiscal soundness and reputation and compliance with this Policy.

Except as may be determined by Board Action, all deposits and investments shall be strictly segregated by Fund type. It is understood that there are times when deposits are transferred to our accounts from an external source in a comingled form with allocation instructions. These funds should be segregated as soon as possible upon receipt.

4.11(i) Competitive Selection of Investment Instruments

- 1.** Before the Township invests any funds, competitive proposals from qualified financial institutions shall be sought. If a specific maturity date is required, whether for cash flow purposes or for conformance to maturity guidelines, proposals shall be requested for instruments that meet the maturity required. If no specific maturity is required, an analysis will be conducted to determine which maturates would be most advantageous.
- 2.** Quotes will be requested from financial institutions for various options with regard to terms and instruments. The Township will accept the quotes, which provide the highest rate of return that is within the maturity term

required and that comply with the parameters of the Investment Policy and particularly with regards to the safety of the investment.

3. Records indicating the quotes offered, the quotes accepted and brief explanation of the decision which was made regarding the investment, shall be kept for future review.

4.11(j) Short-Term versus Long-Term Portfolio

1. The Township shall attempt to match its investment maturities as closely as possible to its anticipated cash flow requirements. With the exception of Debt Service Funds, Capital Funds and Special Assessment Funds, it is strongly advised that all funds be invested in instruments whose maturities do not exceed two years at the time of purchase unless specifically agreed to by the Investment Committee and reported to the Board.
2. Debt Service Funds, Capital Funds, and Special Assessment Funds, may be invested in securities exceeding two years provided the maturity dates match anticipated need for the funds.

4.11(k) Investment Performance and Reporting

1. Information indicating a loss or prospective loss of capital on existing instruments and material deviations from projected investment strategies shall be reported immediately to the Board of Trustees.
2. All Township investments are benchmarked to both US Treasury Bills and market CD rates and are reviewed at least monthly for performance and new investment opportunities that comply with this Policy and compare favorably with existing investments.
3. A Comprehensive Financial Condition Report shall be developed cooperatively by the Treasurer, Director of Accounting, Chief Budget Officer and Assessor and presented to the Board of Trustees at its second Board meeting each month. The report will address each of the following in summary and in detail:
 - A. Tab 1—Revenue & Expenditure Report; Cash Summary by Account
 - B. Tab 2—Cash Flow Analysis; Debt Payment Schedule
 - C. Tab 3—10-yr tax Collection Comparison; Property Tax Roll 10-year graph; Roll Distribution Chart
 - D. Tab 4—Monthly Bank and Investment Report; Approved Financial Institutions List
 - E. Tab 5—Five Year Forecast and Capital Reserve
4. The Township's investment operations will be reviewed as part of the annual audit.

4.11(l) Access to Financial Information

1. By resolution the Hamburg Board of Trustees has determined that the following Officers shall have the right to all financial and investment information (including on line "read only" access) from all depositories and financial institutions with whom the Township does business:

- A. Township Supervisor
- B. Township Clerk
- C. Township Treasurer and Deputy Treasurer
- D. Township Trustees (4)
- E. Township Director of Accounting
- F. Township Attorney

2. Additionally, by resolution the Hamburg Board of Trustees has determined that the following employees shall have the right to all financial and investment information (including on line "read only" access) from all depositories and financial institutions with whom the Township does business for Library Accounts:

- A. Director of the Library
- B. Library Accountant

4.11(m) Safekeeping and Custody

1. All security transactions including collateral for repurchase agreements and institution deposits entered into by the Township shall be on a cash (or delivery vs. payment) basis. Securities may be held by a third-party custodian designated by the Treasurer and evidenced by safekeeping receipts as determined by the Treasurer.
2. A Trust Receipt from the contra-party and proof of SIPC and other insurance will be required when the transaction is covered by insurance. Non-negotiable, non-collateralized Certificates of Deposit, as in the law in the State of Michigan shall be evidenced by safekeeping receipt from the issuing bank.

4.11(n) Prudence

Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion, and intelligence exercise in the management of their own affairs, not for speculation but for investment,

considering the probable safety of their capital as well as the probable income to be derived.

4.11(o) Amendment

This Investment Policy and its associated Investment Procedures may be amended from time to time by a majority vote of the Hamburg Township Board of Trustees.

4.11(p) Glossary

Bankers' Acceptance (BA): A draft or bill or exchange accepted by a bank or trust company. The accepting institution guarantees payment of the bill, as well as the issuer.

Broker: A broker brings buyers and sellers together for a commission paid by the initiator of the transaction or by both sides.

Callable Bond: A bond issue in which all or part of its outstanding principal amount may be redeemed before maturity by the issuer under specified conditions.

Certificate of Deposit: A time deposit with a specific maturity evidenced by a certificate. Large denomination CDs are typically negotiable.

Collateral: Securities or property pledged by a borrower to secure payment.

Commercial Paper: An unsecured promissory note with a fixed maturity of no more than 270 days. Commercial paper is normally sold at a discount from face value.

Dealer: A dealer, as opposed to a broker, acts as a principal in all transactions, buying and selling for his/her own account.

Debenture: A bond secured only by the general credit of the issuer.

Delivery Versus Payment: There are two methods of delivery of securities: delivery versus payment and delivery versus receipt (also called free). Delivery versus payment is delivery of securities with an exchange of money for the securities. Delivery versus receipt is delivery of securities with an exchange of a signed receipt for the securities.

Discount Securities: Non-interest-bearing money market instruments that are issued at a discount and redeemed at maturity for full face value.

Diversification: Dividing investment funds among a variety of securities offering independent returns.

Federal Deposit Insurance Corporation (FDIC): A federal agency that insures bank and savings bank deposits.

Federal Funds Rate: The rate of interest at which Fed funds are traded. The Federal Reserve currently pegs this rate through open-market operations.

Fed Wire: A computer system linking member banks and other financial institutions to the Fed, used for making inter-bank payments of Fed funds and for making deliveries of and payments for Treasury, agency and book-entry mortgage backed securities. Page 11

Investment Adviser's Act: Legislation passed by Congress in 1940 that requires all investment advisers to register with the Securities and Exchange Commission. The Act is designed to protect the public from fraud or misrepresentation by investment advisers.

Liquidity: A liquid asset is one that can be converted easily and rapidly into cash without a substantial loss of value.

Local Government Investment Pool: A pool of funds authorized under the laws of the State that receives deposits from one or more local units and pays returns based upon each local unit's share of investment in the pool.

Mark-to-market: The process whereby the book value or collateral value of a security is adjusted to reflect its current market value.

Market Value: Current market price of a security.

Master Repurchase Agreement: A written contract covering all future transactions between the parties to repurchase or reverse repurchase agreements that establish each party's rights in the transactions. A master agreement will often specify, among other things, the right of the buyer-lender to liquidate the underlying securities in the event of default by the seller-borrower.

Maturity: The date upon which the principal or stated value of an investment becomes due and payable.

Money Market Mutual Fund: A mutual fund that limits its investments to some or all types of money market instruments.

Net Asset Value: The market value of one share of an investment company, such as a mutual fund.

No Load Fund: A mutual fund that does not levy a sales charge on the purchase or sale of its shares.

NRSRO: Nationally Recognized Statistical Rating Organizations - organizations that issue credit ratings for securities.

Portfolio: Collection of securities held by an investor.

Primary Dealer: A group of government securities dealers who submit daily reports of market activity and positions and monthly financial statements to the Federal Reserve Bank of New York and are subject to its informal oversight. Primary dealers include Securities and Exchange Commission (SEC) registered securities broker/dealers, banks, and a few unregulated firms. Page 12

Prudent Person Rule: Standard of investing which states that investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived.

Rate of Return: The yield obtainable on a security based on its purchase price or its current market price. This may be the amortized yield to maturity on a bond or the current income return.

Ratings: An evaluation of an issuer of securities by Moody's, Standard & Poor's, Fitch, or other rating services of a security's credit worthiness.

Repurchase Agreements: A transaction whereby a holder of securities sells securities to an investor with an agreement to repurchase them at a fixed price on a fixed date. The security "buyer" in effect lends the "seller" money for the period of the agreement, and the terms of the agreement are structured to compensate the buyer. Dealers use repurchase agreements extensively to finance their positions.

Rule 2a-7 of the Investment Company Act of 1940: Applies to all money market mutual funds and mandates such funds to maintain certain standards, including a 13-month maturity limit a 90-day average maturity on investments and maintenance of a constant net asset value of one dollar (\$1.00).

Safekeeping: Holding of assets (e.g., securities) by a financial institution.

Treasury Bills: A non-interest-bearing discount security issued by the U.S. Treasury to finance the national debt. Treasury Bills are issued with maturities ranging from a few days to 26 weeks.

Treasury Bonds: Long-term U.S. Treasury securities having initial maturities of more than ten years.

Treasury Notes: Intermediate term coupon bearing U.S. Treasury securities having initial maturities of from one to ten years.

Yield: The rate of annual income returns on an investment, expressed as a percentage.

CERTIFICATION

I, hereby certify that I have received a copy of the Investment Policy of Hamburg Township. I have read and fully understand the State of Michigan Public Act 20 of Public Acts of 1943, as amended. I have personally read the Investment Policy, and agree to comply with the terms of the Investment Policy, and Public Act 20, regarding the investment of the Township funds. Any investment not conforming to your Investment Policy will be disclosed promptly. We also pledge to exercise due diligence in informing you of all foreseeable risks associated with financial transactions conducted with your Township.

By: _____
_____ **Date**

Its: _____
_____ **Institution**

_____ **Address**

_____ **City/State/Zip**

4.12 Notary Public

Hamburg Township will support any employee that needs to become a Michigan notary public to fulfill the job requirements. The State of Michigan requires a surety bond of \$10,000 for the notary. The Township will secure that bond through the township's insurance company Michigan Municipal Risk Management (MMRMA). With the Township providing the surety bond through MMRMA, the employees are only allowed to use their notary for township business, or township residents, during Township business hours.

4.13 Grants

4.13(a) Purpose and Scope

The purpose of this policy is to establish procedures for approval, acceptance, implementation, compliance and reporting of all grant applications submitted on behalf of Hamburg Township. The intent of the Board of Trustees is to ensure fiscal and administrative accountability of all funding sources including: federal government, state government, other local governments, non-profit agencies, and private businesses and citizens, as well as property and other assets awarded to Hamburg Township. For the purposes of this policy, a grant is defined as a financial award that is subject to requirements imposed by the awarding agency.

4.13(b) Application of Policy

The Hamburg Township Grant Policy applies to all Hamburg Township Employees, Departments, and the Elected Officials.

4.13(c) Grant Application

Prior to applying for any grant, a Grant Transmittal form (Appendix A) must be completed and submitted to the Hamburg Township Coordinator, Accounting Director, Supervisor, and Clerk. An exception to this policy is the Michigan Municipal Risk Management Authority's R.A.P. Grant which departments are able to apply for directly with notice to the Township Coordinator.

Once the Accounting Director, Supervisor, and Clerk approve the request, their recommendation will be forwarded to the requestor by the Township Coordinator. Grants over \$10,000 federal grants, or any grant requiring cash or in-kind matching funds, must be pre-approved by the Township Board. Once the submittal is approved, all completed grant applications must be forwarded to the Township Coordinator, who will provide copies to the Supervisor, Clerk and Accounting Director, as needed. No submissions shall be made until approval is received.

(4.13)(c)(1) The Hamburg Township Accounting Director shall be designated as the grant fiscal officer for all grants.

(4.13)(c)(2) The department head, elected official, or division wishing to submit a grant application shall work with the Township Coordinator and Accounting Director on all grants.

(4.13)(c)(3) The Township Coordinator can provide administrative assistance with grant application issuance and submittal, and is in charge of all record retention for grants applied for and received in the Township.

(4.13)(c)(4) Grantor must send grant funds directly to the Hamburg Township Treasury. All financial institution information related to the grant application must be completed by the Accounting Director, Hamburg Township Treasurer or Deputy Treasurer.

(4.13)(c)(5) Grants requiring a cash match must be approved by the Township Board of Trustees. Sources for matching funds must be identified by the Accounting Director.

(4.13)(c)(6) Grants that allow for reimbursement of indirect costs must include the costs in the grant application budget.

(4.13)(c)(7) Grants that allow for reimbursement of administrative time and other costs related to administering the grant shall have those expenses clearly recorded by the Accounting Director.

(4.13)(c)(8) Grants requiring an expenditure budget to be included with the application or annual request, must submit the proposed budget to the Accounting Director for review prior to submission.

(4.13)(c)(9) The department head will provide copies of all correspondence, including copies of the approved and executed grant application, grant award letter, executed grant contract, approved budget, etc. Copies of all motions pertaining to approval will be retained in those records as well.

4.13(d) Grant Management

Each grant must have an individual designated as Grant Coordinator, who is responsible for requesting grant funds, fulfilling the financial reporting requirements of the grant, and ensuring the proper revenue has been received before closing the file. The Township Coordinator may be requested to serve this function for the Department Head and is responsible for all final records and their retention.

The Hamburg Township Accounting Director is responsible for maintaining an inventory of fixed assets purchased with grant funds. The Township Coordinator is responsible for making such fixed assets physically available for inspection during a grant audit, or will complete and file self-certification audits, if applicable with assistance from the grant requestor. The sale or disposal of these assets must follow grant requirements and must be coordinated with the Accounting Director. A list of all parkland and trail assets and property that are required to remain as recreational assets in perpetuity, shall be maintained by the Accounting Director. The Township Coordinator shall be responsible for maintaining proper signage and arranging announcements and ribbon-cutting ceremonies, as may be required by the terms of the Grant.

The Township Coordinator is responsible for fulfilling the program requirements of the grant and promptly submitting the required program monitoring reports to the funding agency. Progress, financial, and final reports must be provided to the Accounting Director who will complete the information on the Grant Transmittal to close the file.

The Grant Coordinator shall work with the Department Head to review financial transactions, such as contract invoices, vouchers, travel reimbursements, purchase documents, and various other documents that obligate Hamburg Township. When reviewing documents, the Grant Coordinator and Director of Accounting are responsible for verifying the following:

4.13(d)(1) Charges to the grant correctly represent materials received or services rendered;

4.13(d)(2) Charges represent activities that are allowable under the grant and comply with the budget that is established for the grant;

4.13(d)(3) Funds are available in the grant to cover authorized charges; and

4.13(d)(4) The transactions comply with all relevant internal or external regulations, policies and procedures, and are applied to the proper GL code.

4.13(e) Grant Accounting

Fiscal control and fund accounting procedures shall be established to assure the proper dispersal of and accounting for grant funds. Such procedures shall ensure that all financial transactions are conducted and records maintained in accordance with generally accepted accounting principles with the following objectives.

4.13(e)(1) Maintain financial records in the shared file system (V-drive) ensuring that the file contains sufficient detailed information to accurately account for grant revenue, expenditures, assets, liabilities and obligated balances.

4.13(e)(2) All grants shall be processed in accordance with GASB-33.

4.13(e)(3) Grant monitoring and budgetary control reports shall be made throughout the life of the grant.

4.13(e)(4) All grants are subject to the rules and procedures as outlined by the agreement the Hamburg Township Board of Trustees enters into with the Grantor.

4.13(e)(5) All records shall be maintained by the Township Coordinator and filed in the Clerk archive based on the Records Retention and Disposal Schedule for Michigan Township Clerks, by the Department of History, Arts and Libraries – Record Management Services. www.michigan.gov/recordsmanagement/

Section 14 - Appendix 1



Grant Transmittal

Date: _____

Project:

Name of Project: _____

Expected Completion: _____ Fund Deadline: _____

Project Description: _____

Project Manager: _____ Email: _____

Department:

Approved by Supervisor/Official: _____ Date: _____

Grant Coordinator: _____ Email: _____

Financial:

Total Estimated Project Cost: _____ Expected Match: _____

Match Funding from GL#: _____ F/Y Impacted: _____

Grant Application:

Grantor Name: _____ Contact: _____

Address: _____

Contact Email: _____ Contact Phone: _____

Grant Amount Requested: _____ Award Date: _____

Admin Use:

Project Completed: _____ Reimbursement Submitted: _____

Grant Funding Received: _____ Coded to GL#: _____

Director of Accounting Signature: _____ To Clerk/Retention: _____

4.14 Cell Phone Usage & Re-Imbursement

4.14(a) PURPOSE

This policy is established for the purpose of establishing guidelines for the acquisition, use, maintenance, and reimbursement of cell phone equipment and services utilized for conducting Township business and services. It is intended to minimize Township expenses while maximizing efficiency and convenience for employees.

4.14(b) POLICY

It will be the policy of Hamburg Township to establish guidelines for the proper use of cell phones owned by the Township for employee use. The Township will also issue a stipend or reimbursement to employees for time and equipment based on the criteria established in this procedure. It is also the policy of Hamburg Township to comply with all Internal Revenue Service guidelines for income tax withholdings for personal use of equipment and services.

4.14(c) DEFINITIONS

Employer-Owned Cell Phone & Equipment - Shall be defined, for purpose of this policy, as any cell phone, charger, holder, mount, wireless service agreement, obtained by and/or paid for by Hamburg Township.

Employee-Owned Cell Phone & Equipment - Shall be defined, for purpose of this policy, as any cell phone, charger, holder, mount, wireless service agreement, obtained by and/or paid for by a employee of Hamburg Township.

Cell Phone Stipend - A monthly payment made to a Township employee based on the established stipend category recommended by an employee's department head and approved by the Township Board.

Cell Phone Reimbursement - A payment made to a Township employee based on a standardized calculation of use or a receipt itemizing business usage of an employee's personal cell phone equipment and services.

4.14(d) CELL PHONE STIPEND LEVELS

- A. Cell phone stipend levels are as listed below. Department heads may make a written request for an employee to receive a cell phone stipend to the Township board. The request will include a stipend level recommendation by the Department head and the employee's position, responsibilities, and need for business related cell phone services. All cell phone stipends will be established by a majority vote of the Township Board. Cash amounts for

each stipend level will be established by the Board and reviewed or adjusted at their discretion.

1. **Administrative Stipend;** an executive level or critical employee that "must have" cellular phone service for emergency contact. This position or work assignment has a high level of responsibility and accountability for delivery of government services. This employee requires an extremely high volume of demand for communication with subordinates, business partners, and citizens.
2. **Supervisory Stipend;** = a management or supervisory level employee who "needs to have" cellular phone service while either on call or in a position to give 24-hour work direction to others. These employee responsibilities require regular and ongoing need for accessibility and communication either throughout the workday and while off duty.
3. **Staff Stipend;** a front-line employee where it is convenient to have cellular services to enhance the productivity and efficiency of Township services.

4.14(e) EMPLOYEE OWNED CELL PHONES

- A. Employee participation in the cell phone stipend program is voluntary and can be canceled by the employer or the employee at any time for any reason.
- B. Employees receiving a cell phone stipend shall do the following:
 1. Provide their cell phone number to their immediate supervisor.
 2. Maintain their cell phone in active service.
 3. Have cell phone turned on and available for contact according to requirements of the stipend level and/or job requirements to which he/she is assigned.
 4. Maintain a sufficient amount of cellular minutes available to conduct the level of business appropriate to the job requirements to which he/she is assigned.
 5. Assume responsibility for all charges for cell phone services and equipment.
- C. Hamburg Township retains the right to determine eligibility and participation in employee owned cell phone stipend program.
- D. Personal use of employee owned cell phones shall be kept to a minimum during business hours or while the employee is on duty.

4.14(f) TOWNSHIP OWNED CELL PHONES

- A. Department heads may make a written request for an employee or work group to be issued either single use or multi use Township owned cell phone to the Township Board. The request will include a type of use, the employee's or work groups position, responsibilities, and need for business-related cell phone services. All Township-owned cell phone levels will be established by a majority vote of the Township Board.
- B. Township-owned cell phones will be designated by the following two types:
 - 1. Multi-user or On-call phone assigned to a work group or division that uses the phone for business only while performing a specified task
 - 2. Single user Township owned phone assigned to a specific person that is utilized for both business and personal use.
- C. Monthly personal use fees for Township-owned phones will be determined by a monthly review of the phone bill. Any personal calls will be totaled and the total will be given to the Accounting Department for inclusion in the employee's taxable income.
- D. Any employee authorized for use of a Township owned single user phone may use the phone for personal use and will be taxed on the personal usage on a monthly basis. Personal calls should be kept at a minimum and should not interfere with Township business.

Employee Owned Cell Phones

Stipend Level	Monthly Stipend Rate
Administrative	\$50.00
Supervisory	\$35.00
Staff	\$20.00

Township Owned Cell Phones

Assignment Type	Monthly Use Rate
Single User Basic	\$15.00
Multi-User	Signed Statement "No Personal Use"