City of Tomball Procurement Card Policy & Procedures

Finance Department 501 James St., Tomball, TX 77375



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Procurement Card Policy & Procedures

1.1 INTRODUCTION

The purpose of the City of Tomball's Procurement Card Program is to establish a more efficient, cost-effective method of purchasing and paying for micro purchases. Departments may use a procurement card for purchases under \$3,000 so long as the purchase complies with this Policy, Procurement Policy & Manual, and other applicable policies or regulations. The program is not intended to bypass appropriate purchasing or payment procedures. The intent of the program is to complement the existing purchasing program and must be used in conjunction with the City's Purchasing Policies.

1.2 **DEFINITIONS**

Definitions not contained specifically within this Policy shall be defined per Government Code, Local Government Code, or other applicable Texas statutes. Additional definitions are provided in subsequent Sections as needed.

Bank means the financial institution used for the Procurement Card program.

<u>Cardholder</u> means City employees that will utilize the Procurement Card for daily purchases of authorized goods and services in compliance with the City of Tomball's Procurement and Purchasing Policies and Procedures.

<u>City</u> means the City of Tomball, Texas, including all departments, utilities, commissions, and boards comprising the City government.

<u>City Council</u> means the City Council of the City of Tomball, Texas.

<u>City Manager</u> means the City Manager of the City of Tomball, or the designee of the City Manager, when such designation is necessary and appropriate.

<u>Department</u> means all City funded departments or divisions, and subdivisions of them, when the purchases are funded even partially with City funds.

<u>Departmental Administrator</u> means the person who acts as a liaison between the Department and the Program Administrator, working with the Program Administrator in the initial setup and maintenance of the Departments account. The person responsible for submitting requests for the enrollment, maintenance and cancellation of cards/accounts for the Department.

Employee means any City or elected official, appointed official, or employee when the purchase is funded even partially with City funds or anyone who acts on behalf of any of them.

<u>Finance Director</u> means the Finance Director for the City of Tomball or a designee of the Finance Director. In the event that there is no individual serving as the Finance Director,

references to the Finance Director shall mean the Assistant City Manager or a designee of the Assistant City Manager.

<u>Goods</u> means any personal property purchased by the City, including equipment, supplies, material, and component or repair parts.

<u>**Person**</u> means an individual, corporation, partnership, limited partnership, Limited Liability Company, association, trust, or other legal entity.

<u>Procurement Card ("P-Card")</u> means a credit card program for authorized purchases made by the City. See Procurement Card Program for additional information.

<u>Program Administrator</u> means has been designated by the City to answer questions, resolve problems and administer the Procurement Card Program. This person will be knowledgeable on all procedures in the Procurement Card Policy and Procedure Manual.

Purchase means any kind of acquisition, including by a lease or revenue contract.

<u>Purchase Order</u> means a legal contract document for the delivery of goods or services in accordance with the terms of an agreement. A purchase order should include the quantity, price, and delivery instructions. All invoices generated by purchase orders shall be for the amounts stated on the purchase order.

<u>Separate Purchase</u> means separating purchases that normally would be made in a single purchase.

<u>Sequential Purchase</u> means making purchases over a period of time that normally would be made in a single purchase

Supplier/Vendor means a seller of commodities and/or services.

1.3 RESPONSIBILITIES

Program Administrator

The Program Administrator is designated by the Finance Director to answer questions, resolve problems and administer the program. This person will be knowledgeable on all procedures in the Procurement Card Policy and Procurement Manual. All procurement card requests must go through the Program Administrator. The procurement card must be returned to the Finance Department upon termination. If the employee is transferred to another department, the Department Director or departmental administrator shall contact Program Administrator to update the employee's information. The administrator shall report to the Finance Director any unauthorized use.

Department Supervisor/Director

The Department Director or equivalent, is responsible for designating the Departmental Administrator, all cardholders within the department, and is responsible for approving the cardholder's monthly procurement card statements to ensure adherence to the City's policies. Card limits are detailed in Section 1.10. Purchases in excess of \$3,000 must adhere to the Purchase Order process as detailed in the Purchasing Policy.

Departmental Administrator

The person responsible for all Procurement Card Program details, including all Cardholder inquiries. This person will act as a liaison between the Department and the Program Administrator, working with the Program Administrator in the initial setup and maintenance of the Departments account. The person responsible for submitting requests for the enrollment, maintenance, cancellation of cards/accounts and will serve as the secondary reviewer/approver for the Department.

Cardholder

City employees that will utilize the Procurement Card for daily purchases of authorized goods and services in compliance with the City of Tomball's Procurement and Purchasing Policies and Procedures.

Each cardholder will receive a monthly Procurement Card statement, which will include the transactions posted during the prior month. The Cardholder shall check each transaction listed on the monthly statement against the receipt that was received. The Cardholder must reconcile all transactions on the Bank website. The cardholder is responsible for ensuring that each transaction has the proper receipts, detailed description and account codes.

If a receipt is lost, the Cardholder must work with the Vendor to obtain a copy. If the receipt cannot be obtained from the Vendor, then the Cardholder must complete the Affidavit of Lost or Unavailable Receipt Form (**Appendix C**). There shall be no undocumented transactions; all transactions must have itemized receipts uploaded through the Bank website.

1.4 ISSUANCE OF PROCUREMENT CARD

- The Department Head or equivalent will submit a New Cardholder Enrollment Request Form (**Appendix A**)
- The P-Card Administrator will approve the request & coordinate with the bank for P-Card issuance
- The card(s) will be sent to the P-Card Administrator who will then contact the cardholder(s) to read and sign the P-Card Verification and Agreement (**Appendix B**)
- After signing the P-Card Verification and Agreement, the cardholder will need to activate their own card
- To change a cardholder's limits, a written request to change cardholder limits must be submitted to the P-Card Administrator by the Department Head or equivalent

Procurement card activation

The cardholder must call the number on the card to activate the procurement card before using it. You will need the card number and the unique ID given by the P-Card Administrator to complete the activation. You will need to create a 4-digit personal identification number (PIN). This PIN is not required when making purchases and the P-Card holder can customize the PIN number during card activation. Upon receipt, the cardholder should sign the back of the card and it in a secure location.

1.5 DOCUMENTATION AND APPROVAL PROCESS

The procurement card is issued in the employee's name. All purchases made with the procurement card must be for the designated employee's Division/Department only.

Approval Process – Cardholders are designated by their Department Director to use the procurement card. Cardholders are responsible for following the guidelines provided by the City regarding purchases, selection of vendors, security of the card, and monthly reconciliation of the charges and coding of charges to the appropriate accounts. All purchases must be submitted for review and approval by the fifth (5th) business day of the month. Each transaction must include a clear description of the business reason/purpose. A receipt must be submitted for each transaction. It is the cardholder's responsibility to obtain itemized transaction receipts from the merchant or supplier each time the procurement card is used. Receipts must not be manipulated, changed, or covered up when uploaded and must be completely legible.

By the tenth (10^{th}) business day of the month, each transaction must be reviewed and approved by the designated approver.

Purchases made with a procurement card are funded by taxpayer dollars. Ownership of a City procurement card is a privilege and NOT a right. Cardholders are charged with making responsible, work-related purchases and with the prompt and complete submission of monthly card reconciliation documents. Cardholders who fail to meet these responsibilities will have their procurement card privileges revoked. Inappropriate procurement card use will result in disciplinary action as detailed in the Section 1.8.

1.6 GENERAL CARDHOLDER GUIDELINES

Cardholders should promote and encourage positive interactions with suppliers. Honesty and courtesy are essential ingredients in all aspects of a buyer/supplier relationship. The City of Tomball promotes the use of local Tomball vendors whenever possible. All cardholders should follow these guidelines below when using the procurement card:

1. Determine if the transaction is an acceptable use of the card, and if it is within the cardholder's spending limit. Justify and defend every purchase. Identify the supplier and call, or visit the supplier to place the order.

- 2. If the order is by mail, specify cardholder name, company name, department name and shipping instructions. Also, specify the purchasing card number, expiration date and name as it appears on the card.
- 3. Inform the vendor that the City is tax-exempt. Forward a copy of the tax-exempt certificate, if requested. Confirm the pricing and freight. Make sure the combination of both does not exceed the single transaction limit.
- 4. Request that a copy of the pricing and freight be emailed or faxed to the cardholder and/or included in the shipment of supplies. Instruct the vendor not to send a copy of the itemized invoice to Accounts Payable in order to avoid duplicate payment.
- 5. Request that the supplier indicate your name and the words "Procurement Card" on all packing lists and box labels. This will enable the receiving department to facilitate delivery of your supplies. Shipments without this information may be refused and returned to the vendor.

Returns and Disputed Charges

Should a problem arise with a purchased item, service or charges, the Cardholder should make every attempt to resolve the issue directly with the supplier. The Cardholder should note all returned, credited, or disputed items on their expense report.

A. Returns

If an item needs to be returned to a supplier, the Cardholder must contact the supplier and obtain instructions for the return. Note that some suppliers may charge a restocking or handling fee for returns. All returns should be indicated on the expense report along with a notation of any restocking or handling fees. If the item is accepted as returned by the supplier, a credit for this item should appear on the following month's statement.

B. Disputed Charges

<u>Supplier Disputed Charges</u> – If a cardholder finds a discrepancy on their statement, the cardholder should contact the supplier immediately. All disputed items should be indicated in the credit card report.

<u>Fraudulent Charges</u> – If a cardholder finds a fraudulent charge on their statement, the cardholder should call the number on the back of the card immediately. The bank will ask a series of questions and if the charge is fraudulent the bank will open a case and the charge(s) will be credited back to the card. All fraudulent disputed items should be indicated in the credit card report.

The credit card vendor will place the charge in a "State of Dispute" and the account may be given a provisional credit until receipt of adequate documentation from the vendor. If the documentation appears to be in order, the transaction will be re-posted to the account and the dispute considered closed. If the charge is suspected to be fraudulent, the card will be immediately blocked and an investigation of the charge will continue. A new card will be re-issued to the cardholder, if appropriate.

Disputed charges must be handled in a timely manner in order to receive a credit. If the City does not report the dispute within this time period, the City is responsible for the charge.

Disputed charges should be processed as follows:

- 1. Once a discrepancy is detected, the cardholder should contact the supplier and attempt to resolve the problem.
- 2. If the cardholder and merchant can resolve the dispute, a credit is to be issued and should appear on the next billing cycle statement. The cardholder should monitor the statement for the pending credit.
- 3. If the credit does not appear on the next statement, the Cardholder should code any unresolved disputed charges as "Dispute Pending" on the monthly reconciliation.
- 4. The cardholder or Departmental Head should immediately advise the P-Card Administrator of the disputed charge via e-mail so that the appropriate forms may be submitted to the Bank.

1.7 SALES TAX

The City of Tomball is exempt from most sales and use tax as allowed by law. Procurement cards have the City's federal identification number printed on the card (top left hand corner right of the City seal), and the merchant should be reminded that sales tax should not be included in the transaction. The card does not automatically alert the merchant of the City's tax exempt status. Cardholders must tell the merchants at the time of the transaction that it is a tax exempt purchase and no tax should be added to the sale. Cardholders should check the store receipt before leaving the store to ensure the sales tax is not included in the total. If tax was added to the sale, the cardholder will have the merchant credit the amount of the tax to the card. Employees are responsible for ensuring exemption from sales tax. When sales tax is charged on the receipt in error, it is the responsibility of the Cardholder to obtain a tax credit.

Exceptions: Sales tax on restaurant meals, air travel and parking. The cardholder should seek an exemption on sales tax at these locations, however, it is understood the exemption may not be granted. Cardholders should provide the tax-exempt forms, which are available from the Finance Department, before the order is placed. City employees are not exempt from hotel occupancy taxes.

Note: In some special cases, the City is required to pay tax. If there are any doubts about the tax or if the vendor requires that tax be paid even if they have received the tax-exempt form, contact Finance Department for additional instructions.

1.8 PROHIBITED PURCHASES

The procurement card is not for personal use. City policy also prohibits loaning the procurement cards to any other person or employee (other than additional approved departmental employees). The procurement card is not intended to avoid or bypass appropriate purchasing or payment procedures. Cardholders shall not separate or split

purchases to avoid the normal purchasing procedures. Departments shall not place orders that exceed \$3,000 without an approved purchase order. Departments do not have the authority to order directly from a vendor without an approved purchase order, nor to negotiate any purchases without the required approvals. Any purchase over \$3,000 should not be purchased on a P-Card and shall go through the requisition process and receive three quotes unless approved by City Management. This program complements the existing processes available.

- Separate Purchases Purchases made separately of items that in normal purchasing practices, would be purchased in one transaction.
- Sequential Purchases Purchases made over a period of time, of items that in normal purchasing practices, would be purchased in one transaction.
- Purchases of technology items are prohibited without approval by the Information Technology Department.
- Employees who receive a monthly phone allowance cannot use the procurement card for any phone accessory purchases including but limited to cases, apps, etc. The monthly allowance is intended to cover those.
- Employees who receive an automobile allowance, cannot use the procurement card for gas or other items for their personal vehicle. This is covered under the automobile allowance.
- Procurement cards should not be used to make donations.
- No shipments should be mailed to personal address.
- All transactions must be in US dollars.
- Alcohol and tobacco purchases
- Cash advances and cash equivalents
- Hazardous materials
- Gratuities in excess of 20%

1.8 CONSEQUENCES FOR CARD ABUSE

Cardholders are reminded that purchases are funded with taxpayer dollars. Therefore, it is imperative that the City's procurement card program is above reproach. All transactions MUST BE strictly for work purposes and all documentation must be readily available. Any inappropriate use of the procurement card will be forwarded to the City Manager for disciplinary action up to and including termination.

Offenses may include but are not limited to:

Late or incomplete reconciliation documents, including but not limited to missing itemized receipts, incomplete information, failure to resolve sales tax, loaning a card and/or PIN number to an unauthorized person (other than additional approved departmental employees), and any other discrepancies within 15 days of notice by the Finance Department.

Outstanding P-Card Transactions

All employees will have a period of five (5) business days to submit procurement card documentation. It is the responsibility of the cardholder to complete and forward the forms for approval on a timely basis so Finance can review, approve and record the financial transactions. If procurement card transactions are not submitted for review and approval within five (5) business days, after multiple offenses the card may be terminated.

NOTE: Unintentional mistakes resolved prior to the reconciliation process will not be considered as card misuse.

Cardholders are further cautioned that:

In cases of more serious procurement card abuse, the City may, at its sole discretion, take more severe disciplinary measures based on the nature of the offense. The policy outlined in this document does not supersede the Procurement Manual or any Administrative policies related to Purchasing. Procurement cards may be suspended at <u>any</u> time at the discretion of the Department Director, Finance Director or City Manager if improper use is suspected.

1.10 PROCUREMENT CARD CONTROLS

A. Single & Monthly Purchase Limits

A Single Purchase Limit is the amount available on the procurement card for a single transaction. A Monthly Purchase Limit is the amount on the procurement card for a 30 day period. A transaction includes the purchase price and freight. Purchases that exceed the cardholder's Single Purchase Limit will be declined. The City prohibits the use of repetitive transactions intended to circumvent the Single Purchase Limit. Card purchases will be audited to identify such transactions. **SPLIT PURCHASES IN ORDER TO AVOID THE LIMIT ARE STRICTLY PROHIBITED.**

Tier	Monthly	Single	
Level	Purchase	Purchase	
1*	\$10,000	\$2,999	
2	\$5,000	\$2,000	
3	\$2,000	\$1,000	

*Tier 1 users must be approved by the Finance Director and City Management

Temporary limit increases must be requested by submitted the Temporary P-Card Limit Increase Request Form (**Appendix D**).

B. Restricted Vendors

The procurement card program may be restricted for use with certain types of vendors and merchants. If a procurement card is presented for payment to these vendors, the authorization request will be declined. The City's procurement card is NOT to be used for alcohol, tobacco, or any personal purchases. Variations from this portion of the policy must be approved by City Management.

Meals

Any allowable meal purchases must include a detailed receipt along with the Meal Receipt Form (**Appendix E**), which includes the list of names of persons that were present and the business purpose associated with the meal.

C. Security of the Procurement Card

The cardholder is responsible for the security of the card and all purchases. City policy prohibits loaning the procurement cards to any other unauthorized personal to make purchases. This card should be treated with the same level of care as the cardholder would use with his/her own personal charge cards. Guard the procurement card account number carefully. It should not be left out in the work area or left in a conspicuous place.

D. Employee Liability

Employees do not pay their own monthly statement. The program does not affect the individual employee's credit rating in any way. If the card is accidently used to purchase non-City business goods and services, notify the Program Administrator immediately.

E. Chip and Personal Identification Number ("PIN") Technology

Procurement cards are enabled with chip and PIN technology to help reduce the occurrence of fraud for in-person transactions. At the time of chip card activation, the cardholder shall choose a 4-digit PIN. The PIN shall be kept confidential by the cardholder with the same level of security the cardholder provides to the PIN on a personal debit card. A cardholder with a chip card who is later reissued a new chip card has the option of keeping the existing PIN or setting a new PIN for the new card. The PIN may not be required on all merchant transactions; however, if prompted, the cardholder must enter the 4-digit PIN to complete the transaction.

F. Departmental Procurement Card Audits

In addition to reviewing each transaction, the Finance Department conducts audits on all City departments throughout the fiscal year. The audit process evaluates compliance with the procedures outlined in the documents provided in this manual. Usage will be monitored annually and inactive users will be disabled as deemed appropriate.

Records are audited in the following areas:

- Completeness of records
- Supporting documentation for each purpose
- Sales tax paid and documentation of collection efforts

Goods

- Documentation of purpose
- If requested, existence of items
- Use of procurement cards for prohibited items or at restricted vendors

1.11 EXAMPLES OF POSSIBLE VIOLATIONS

1) A purchase is required that will cost \$3,050. The vendor has offered to bill \$1,500 on one transaction and \$1,550 on another in order to meet transaction limits. Is this a violation?

Yes — this is considered to be splitting a transaction under Local Government Code 252.001- Separate Purchases which are "Purchases made separately of items that, in normal practice, would be bought in one purchase." Remember, transactions exceeding \$2,999.99 require a purchase order.

2) What if the vendor splits the transaction and I didn't know he was going to do it?

Regardless of intent, these types of purchases will be "deemed" a violation. In this example, the employee would have already known the purchase exceeded \$2,999.99 and should not have completed the transaction. On the other hand, if it is determined that a vendor intentionally split credit card transactions to circumvent the restrictions on the card, that vendor may be disqualified from transacting business with the City in the future.

3) A department needs generators for field operations. They purchase four generators totaling \$1,600 on Tuesday. On Wednesday and Thursday, they purchase an additional six generators totaling \$1,400 and \$1,200 respectively. Is this a violation?

Yes – these types of transactions meet the definition of Sequential Purchases which are "Purchases made over a period of time that, in normal purchasing practice, would be bought in one purchase." Employees need to understand that regardless of intent, these purchases will be "deemed" a violation.

4) Merchandise has been ordered totaling \$2,800. At the last-minute, changes are deemed necessary that would raise the total of the order to \$3,300. What should I do?

You must abandon the planned purchase with the procurement card and switch to the purchase order procedures (e.g. obtain three quotes) and complete a purchase requisition for this item.

5) A pump costing \$2,750 is required to fix a water leak. The purchase is made and later in the afternoon it is necessary to return to the vendor for \$500 worth of pipes/valves to complete the repair. Is this a violation?

No – This is an example of unforeseen damage. In the process of a repair it is possible that more parts may be necessary than expected. Please document as thoroughly as you are able to ensure that others reviewing this transaction in the future can see it was necessary.

6) While obtaining hotel reservations, taxes are included on the bill. Is this a violation?

No – City employees are not exempt from hotel tax. Hotel tax is not sales tax and should be paid.



APPENDIX A

City of Tomball New Cardholder Enrollment Request Form

Section I: Cardholder Information

Cardholder Name:			Employee ID #:			
Department:			City Email:			
Cardholder Title:			Date:			
Section II: Tier Level &	Justi	fication				
Sel O	ect ne	Tier Level	Month Purch		Single Purchase	
		1*	\$10,00		\$2,999	1
	_	2	\$5,00		\$2,000	1
		3	\$2,00	0	\$1,000	-
Supervisor/ Reviewer N	lame (l	Printed):				
Supervisor/ Reviewer Signature:				Date:		
Section III: Completed	By Fin	nance Depa	rtment			
Enrollment Request proc	essed a	and card ord	lered by:			
Signature:					Date:	

APPENDIX B



City of Tomball P-Card Verification and Agreement

Name of	on card:		
Card n	umber: XXXX-XXXX		
Expira	tion Date: Security Code:		
□ Nev	v Card ☐ Replacement Card (complete next line)		
If repla	acement, was original card: Lost Stolen Expired		
I have a	received a City of Tomball Procurement Card and agree to the following regarding my use card.		
1.	I understand that I am being entrusted with a Procurement Card (P-Card), and that each time I use the P-Card I will be making financial commitments on behalf of the City of Tomball.		
2.	I will not allow others to use my P-Card and will ensure that it is kept secure at all times. If my card is lost or stolen, I understand that it is my responsibility to notify the P-Card issuer and the Finance Department.		
3.	. I agree that the P-Card may only be used for business expenses.		
4.	I understand that under no circumstances will I use the P-Card to make personal purchase, either for myself or for others.		

privileges.

5. I will obtain a receipt, which reflects the total amount including sales/use tax paid to the

established processes and procedures and submit my Cardholder Statement, with all

receipts attached, to my Authorized Approver within five (5) working days of distribution of cardholder statements. Failure to do so may result in revocation of my P-Card use

vendor and which details the items purchased, each time I use the P-Card.

6. I will use the P-Card in accordance with the agreement and in accordance with

7. I am aware of my P-Card credit limit and will abide by that limit.

8. I understand and agree that failure to adhere to the terms of this agreement or use of P-Card for personal use or gain will be treated as a serious violation of company per and will result in disciplinary action up to and including termination of employment			
Cardholder's Name (Print)	Cardholder's Signature / Date		
Finance Department (Print)	Finance Department Signature / Date		

APPENDIX C



City of Tomball Affidavit of Lost or Unavailable Receipt

Name of Vendor

Instructions

Employee Name

All information requested on this form needs to be completed before it will be accepted

•			
Date of Receipt		Amount	
Description of Expense			
□ Cash	□ Cre	edit Card	☐ Check
misplaced, or did not receive the roof the missing receipt. I certify that this is a proper charge not previously requested, nor will	ge for a cost incurre	ed while on official	City business and that I have
Signature		Γ	Date
	APPROVAL		
Supervisor's Signature		D	Pate
Supervisor's Name		<u> </u>	

This form may not be used for the following expenses:

- 1. Lost Air Tickets
- 2. Car Rental Receipts
- 3. Lodging Receipt
- 4. Registration Receipts / Brochures

APPENDIX D



City of Tomball Temporary P-Card Limit Increase Request

This form is for a temporary 1 month period P-Card Limit Increase. For Permanent increases a New Cardholder Enrollment Request Form must be filled out and approved.

This form must be approved **before** forwarding to the Purchase Card Administrator Cardholder Name: _____ Date of Increase: _____ Single Purchase Limit Increase: _____ Monthly Limit Increase: _____ Justification for Temporary P-Card Limit Increase: Requested By _____ Date _____ Department Head ______ Date _____ **Purchase Card Administrator Only Increased Limit Completed** Date: _____ Emailed Cardholder approval Date: Increase Change to Original Date: _____

APPENDIX E



City of Tomball Meal Receipt Form

Date:	<u> </u>	
Business Discussion / Pu	urpose of Meal: _	
Place of Business Meal:		
	P-Card	Reimbursement
Please attach all original purchases are prohibited	_	ailed documentation for all meals. Alcoholic beverages
Attendee's Name:		Dept. /Organization:
Notes:		
Prepared By:		Date:
Department Head:		Date:
Finance Director:		Date: