

OFFICIAL NOTICE AND AGENDA

Notice is hereby given that the **Executive Committee** of the **North Central Community Services Program Board** will hold a meeting at the following date, time as noted below:

Wednesday, December 13, 2023 at 1:00 PM
North Central Health Care – Eagle Board Room
2400 Marshall Street, Suite A, Wausau WI 54403

Persons wishing to attend the meeting by phone may call into the telephone conference beginning five (5) minutes prior to the start time indicated above using the following number:

Meeting number: 1-408-418-9388 **Access Code:** 2493 211 4821 **Password:** 1234

Our Mission

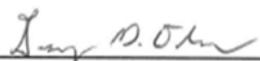
Langlade, Lincoln, and Marathon Counties partnering together to provide compassionate and high-quality care for individuals and families with mental health, recovery, and long-term care needs.

AGENDA

1. Call to Order
2. Public Comments (15 Minutes)
3. Introduction of the Director of Human Resources, Shelva Colvin – G. Olsen
4. Approval of November 30, 2023 Executive Committee Meeting Minutes
5. Educational Presentations and Committee Discussion
 - a. Update Regarding Manager Positions COLA for 2023 and Position Pay Grade Changes – G. Olsen
 - b. Financial Update – J. Hake
6. Discussion and Possible Action
 - a. ACTION: Approval of Purchasing Policy – J. Hake
7. CLOSED SESSION
Motion to go into Closed Session (Roll Call Vote Suggested) Pursuant to Wis. Stat. ss. 19.85(1)(c) and (g), for the purpose of “[c]onsidering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility” and “conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved” to wit: Consider COLA adjustments for specific individuals Pay Grade 92 and higher, potential reclassification of specific individuals Pay Grade 92 or higher to a different pay grade, and discussion of options, proposed response, and legal reasoning for administrative appeal, and potential subsequent judicial appeal, in response to an adverse administrative agency decision.
8. 2024 Executive Committee Meeting Schedule
9. Next Meeting: Wednesday, January 31, 2024 – North Central Health Care Eagle Board Room
10. Adjournment

Any person planning to attend this meeting who needs some type of special accommodation in order to participate should call the Administrative Office at 715-848-4405. For TDD telephone service call 715-845-4928.

NOTICE POSTED AT: North Central Health Care
COPY OF NOTICE DISTRIBUTED TO:
Wausau Daily Herald, Antigo Daily Journal, Tomahawk Leader
Merrill Foto News, Langlade, Lincoln & Marathon County Clerks Offices


Presiding Officer or Designee

DATE: 12/08/2023 TIME: 1:00 PM BY: D. Osowski

NORTH CENTRAL COMMUNITY SERVICES PROGRAM EXECUTIVE COMMITTEE MEETING MINUTES

November 30, 2023

2:45 p.m.

North Central Health Care

Present:	EXC	Kurt Gibbs	X	Renee Krueger
	X	Lance Leonhard	X	Robin Stowe
	X	Angela Cummings		

Staff: Gary Olsen, Jason Hake

Others: Dejan Adzic, Marathon County Deputy Corporation Counsel (WebEx)

Call to Order

- Meeting was called to order by L. Leonhard at 2:48 p.m.

Public Comments

- None

Approval of October 30, 2023 Executive Committee Meeting Minutes

- **Motion**/second, Stowe/Krueger, to approve the minutes of the October 30, 2023 Executive Committee Meeting. Motion carried.

Approval of Medical Staff Recommendations

- **Motion**/second, Krueger/Stowe, to approve the recommendations of the medical Staff for Initial Appointments for Theresa Micke, PA-C, Thomas Licata, D.O., Kishan Nallapula, M.D. and Reappointments for Richard Immler, M.D., and Susan Brust, APNP. Motion carried.

Next Meeting:

- The next meeting of the NCHC Executive Committee is currently scheduled for Wednesday, December 13, 2023 at 1:00 p.m. in the NCHC Eagle Board Room.

Adjourn

- **Motion**/second, Stowe/Krueger, to adjourn the meeting at 2:51 p.m. Motion carried.

Policy Title: Purchasing & Procurement	 <p data-bbox="899 180 1463 233">North Central Health Care</p> <p data-bbox="987 235 1373 262">Person centered. Outcome focused.</p>
Policy #: 300-xxx	Program: Business Operations 300
Date Issued: 12/13/2023 ⁴	Policy Contact: Managing Director of Finance and Administration

Related Forms & Manuals

Purchase Order Form (available in the Purchasing area)
Purchasing Procedure Manual

1. Purpose

The purpose of the policy is to maintain a consistent ordering procedure for all NCHC programs and to utilize buying groups providing beneficial pricing for NCHC and to ensure all purchases are approved by the correct individual within the program. NCHC’s goal is to achieve an effective and efficient procurement of goods and services that are consistent with quality and delivery needs at the lowest possible cost.

2. Policy

Fair and open competition is a core principle of public procurement and inspires public confidence that goods and services are procured equitably and economically. Documentation of the acts taken and effective monitoring mechanisms are important means of avoiding improprieties and establishing public confidence in the procurement process. It is the duty of all NCHC staff to maintain the public trust by adhering to NCHC standards of professional conduct and ethical behavior. All NCHC personnel are responsible for maintaining the integrity of the procurement process and will be held accountable for actions taken that do not conform to the established procurement process.

3. Application

This Policy applies to contracts for the procurement of supplies, services, and construction, entered into by NCHC and to every expenditure of public funds by NCHC for public purchasing irrespective of its source. It also applies to any sale or other disposition of public property by NCHC.

When the procurement involves the expenditure of federal or state assistance or contract funds, the procurement shall be conducted in accordance with any applicable mandatory federal or state law and regulation not reflected in this Policy. Nothing in this Policy shall prevent NCHC from complying with the terms and conditions of any grant, gift or bequest consistent with law.

4. Program Specific Procedures

4.1. Budget limitations are to be considered on all purchases. When making purchases, NCHC employees are required to act in the best interests of the organization. No staff member shall benefit in a personal manner as a result of any purchase made by NCHC.

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Owner: Managing Director of Finance & Admin _____

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- 4.2. The purchasing function is responsible to ensure that purchases of materials and equipment are obtained at prices that are most beneficial to the organization.
- 4.3. Director of Accounting must be notified of all rebates, which are considered revenue to the institution. The Director of Accounting will be responsible for monitoring all rebates and vendor incentives. Every effort will be made to include discounts into the pricing. Rebates received after the fact will be recorded into purchasing and used to offset the cost of memberships in buying groups.
- 4.4. The purchase of supplies and equipment is authorized in advance of purchase as part of the budgetary process. Program Leaders may proceed (through the Purchasing function) with purchases of routine nature provided they are budgeted. Non-budgeted or emergency items will be presented to the Senior Leadership Team for consideration and approval. All non-budgeted purchases exceeding \$10,000 shall also required the independent approval of Managing Director of Finance and Administration and/or Executive Director.
- 4.5. Senior Leadership approvals are required for all capital expenditures that are included in the budget and emergency expenditures as described in Paragraph 7.7 of this Policy. Managing Director of Finance and Administration and/or Executive Director approval are required for unbudgeted capital purchases.
- 4.6. When the need to dispose of NCHC assets or equipment arises, the program shall contact Senior Leadership Team for instruction. Items may be redeployed, sold, donated for a public purpose if permissible under applicable law, or stored for future use. Asset identification information will be provided to the Director of Accounting for accounting purposes.

5. Developing Specifications

Specifications establish the design, type, quality, functional capability and performance level desired. Identify the need and the key factors to fulfill the need completely. Be specific, identify grade, type, or other industry standards that must be met. It is very difficult to disqualify a poor quality product if the specifications are vague or limited.

Specifications include, but are not limited to:

- Type of construction or materials.
“Product shall be stainless steel” is typically not specific enough in most cases.
“Product shall be 20 gauge 304 stainless steel” is a much better specification.
- Minimum level of performance required.
“High capacity fan” is typically not specific enough in most cases.
“Fan shall be 50 CFM (cubic feet per minute) minimum” is a much better specification.
- Physical characteristics, size, weight, color, shape, etc.
“Lightweight design” is typically not specific enough in most cases.
“Product weight shall not exceed 20 lbs.” is a much better specification.
- Delivery and installation requirements. Is NCHC responsible for unloading the product from the vendor’s truck? Does the product need to be unloaded by the vendor and set in a specific location? Is the vendor required to install the product?
- Quantity and packaging requirements. 1000 items loose in a box or 10 bundles of 100?
- Warranty requirements.

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- Training requirements.
- This or equal quality. Identify a specific product (by manufacturer and part number) that meets all our needs and allow bidders to bid that product or an alternate product of equal quality.
- Scope of services. Include method of service delivery, onsite, online, phone, etc. Identify timeliness of service delivery, response time, lead time, time to complete project. Describe in detail what is required including outcomes desired.

6. Procurement Thresholds and Approval Levels

In determining the amount of the purchase, must take into consideration the entire amount paid during the term of the contract. If contract auto renews on ongoing basis, must factor in at least the projected cost over a five-year period.

Micro Purchases

- Purchases up to \$9,999.00
- No quotation or a cost/price analysis is necessary if price is determined to be fair and reasonable
- Cannot divide contract to lower cost below small purchase threshold to avoid competitive bidding requirements
- Purchases should, when practicable, must be be distributed equitably among qualified suppliers (to the extent practicable)
 - Ex. If two local businesses are selling identical writing utensils for \$.25 per piece, and all other factors being the same, NCHC should strive to purchase 50% of the necessary quantity from one business and 50% from the other in order to ensure equitable distribution.

Small Purchases (*Does not apply to public work improvement projects that exceed \$25,000.00*)

- Purchases ranging from \$10,000.00-\$79,999.00
- Price and rate quotes must be obtained from at least three (3) qualified sources
 - Price rate quotes must be documented in writing and retained by organization for audit and other purposes
- Must be approved by NCHC Chief Financial Officer
- Cannot divide contract to lower cost below small purchase threshold to avoid competitive bidding requirements

Large Purchases (>\$80,000.00)

Sealed Bids

- Used when product specifications can be clearly defined
- Preferred method for construction projects
- Requires formal advertising
- Two or more bidders are willing and able to respond
- Public bid opening is required

- Award to lowest cost responsible bidder

Competitive Proposal

- Used when sealed bids method is not appropriate and award cannot be made strictly on specification or price
- Requires advertising
- Must include written method for conducting the technical evaluation
- Responses must be solicited from multiple qualified sources
- Award should be fixed price or cost reimbursable

Sole Source

- Only used in following circumstances:
 - Product and/or services is available through a single source
 - Public exigency or emergency will not permit delay required for competition
 - Awarding federal agency has expressly authorized a noncompetitive process
 - After solicitation of number of sources, competition is deemed inadequate
- Must be documented in detail and documentation must be retained for audit and other organizational purposes

7. Procurement Methods

The following methods are approved competitive processes to be used in the procurement process. The Managing Director of Finance and Administration should be contacted to determine the best method for a particular procurement. The Executive Director shall have the final authority on the method of procurement to be used. For procedural requirements that are applicable to the undermentioned procurement methods, the rules and procedures set forth in NCHC's Procurement Procedure Manual must be followed.

7.1. Simplified Bidding/Acquisition

"Simplified bidding" is a method of procurement used when the estimated cost of a transaction is \$49,999.00 or less. Simplified bidding takes place when three or more qualified suppliers are solicited to submit bids on a procurement. However, "three or more" is a minimum. The definition of "three or more" bidders is not to be used to restrict competition or to prevent qualified bidders from bidding on procurements.

7.2. Request for Bid (RFB)

A Request for Bid is an advertised solicitation that is conducted by the Purchasing Department for goods and services for \$50,000.00 or more and that can be defined with clear specifications.

7.3. Request for Proposal (RFP)

A Request for Proposal is an advertised solicitation conducted by the Managing Director of Finance and Administration that is used for goods and/or services that are not able to be clearly defined, outcome requirements that have multiple methods to accomplish, or for projects for which the skill or quality of the Contractor needs to be weighed with the cost. RFP solicitations

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are weighted and scored by an evaluation team and awarded to the highest scoring proposer.

7.4. Request for Information (RFI)

A Request for Information is a type of request used when information and pricing is not readily available for goods, professional services, specialized services or specific construction projects that require a higher degree of skill than usual. The Request for Information may be used to create a short list of vendors for either direct negotiation or bid requests.

7.5. Cooperative Purchasing/Participation in Buying Groups

NCHC may participate in, sponsor, conduct, or administer a cooperative purchasing agreement for the procurement of goods and services. Cooperative purchases shall be made in accordance with public procurement principles of open and equitable competition. NCHC may also purchase from any other government entity without the intervention of bids (Section 66.0131 (2) Wis. Stat.).NCHC is a party to multiple cooperative purchase partnerships. The department soliciting the procurement should contact the NCHC Chief Financial Officer in order to obtain information regarding the buying groups that NCHC is a party to.

7.6. Sole Source Purchasing

The Managing Director of Finance and Administration , after approval from the Executive Director, may award a contract without competition when the Managing Director of Finance and Administration determines in writing, after conducting a good faith review of reasonably available sources, that there is only one source for the required supply, service or construction item, and when allowed by law. The Managing Director of Finance and Administration shall conduct negotiations, as appropriate, as to price, delivery, and terms. The Managing Director of Finance and Administration shall maintain a public record of sole source procurement that lists each contractor's name, the amount and type of each contract, a listing of the item(s) procured under each contract, and the identification number of each contract file.

7.7. Emergency Purchases

The Managing Director of Finance and Administration and/or the Executive Director may make or authorize others to make emergency procurements of supplies, services or construction items when there exists a threat to public health, welfare, or safety, as defined by Wisconsin Statutes, provided that such emergency procurements shall be made with as much competition as is practicable under the circumstances. The Managing Director of Finance and Administration shall include in the contract file a written determination of the basis for the emergency and for the selection of the particular contractor. As soon as practicable, the Managing Director of Finance and Administration shall notify the Executive Director and make a record of each emergency procurement setting forth the contractor's name, the amount and type of the contract, a listing of the item(s) procured under the contract, and the identification number of the contract file.

7.8. Used Equipment Purchases

The purchase of used equipment from vendors when, in the discretion of the department's respective head, the purchase of said used equipment will result in considerable savings to NCHC, shall be submitted to the Managing Director of Finance and Administration or Executive Director's review and approval for waiving requirements of the competitive process. Respective department head must provide written justification to Managing Director of Finance and

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Administration or Executive Director for review and approval.

7.9. Public Work or Public Construction Projects

Public work is construction of roads, signs, or other systems carried out by the government for the use and benefit of the community. Public construction means a contract for the construction, execution, repair, remodeling or improvement of a public work or building or for the furnishing of supplies or material of any kind, proposals for which are required to be advertised for by law. Any improvement, remodel, remediation, expansion, repair, to any county owned building, utility, or fixture, has been interpreted to constitute public construction. Public contracts do not include equipment.

Wisconsin Statute § 59.52(29)(a) sets the limits on NCHC's ability to adopt its own procurement standards as they relate to public construction projects. For contracts involving public construction, all matters, negotiations, bidding procedure, etc. shall be referred Marathon County Facilities & Capital Maintenance Department or to Marathon County Corporation Counsel.

8. Information Technology Purchases

All requisitions and purchases for information technology (IT) equipment or software must have prior approval from the CCIT Director. If a RFB or RFP is issued, the CCIT Director shall provide input about the compatibility and other issues related to the software or equipment prior to an award being made. This is to ensure the compatibility of the requested equipment and software with existing systems and also ensure the new technology does not pose risks to cybersecurity of County systems. The CCIT Director may waive the compatibility requirement.

9. Tied Bids

Tied bids exist when the total costs of two or more responses to a request for bid are identical. Cost totals can be carried out to two decimal points to break a tie. Tied bids do not apply to requests for proposals. If the final scores of two or more proposals are identical, the best and final offer process shall be used to break the tie. If a tie bid occurs, award may be made to the bidder offering the best additional economic benefit to NCHC such as discounts for early payment, volume discounts, more advantageous contract term, etc. If all economic benefits are equal, the Managing Director of Finance and Administration or designee and one witness may conduct and document one of the following processes to complete the award:

- If only two vendors are tied, flip a coin: Assign "heads" to the vendor whose company name is alphabetically first, and "tails" to the other vendor. Flip the coin allowing the coin to come to rest on the floor. If "heads" is up, the vendor whose company name is alphabetically first wins. If "tails" is up, the other vendor wins.
- If more than two vendors are tied, draw lots: Assign similar sized pieces of paper for each tied vendor and conduct a blind draw to select one awarded vendor. The process used and the results shall be documented on the bid tabulation.

10. Contractor/Vendor Selection

Although efforts should be made to award all contracts to the lowest cost responsible bidder whenever possible, lowest price is not always the sole consideration in determining the

contractor and/or vendor best suited for meeting organizational purchasing needs. When making decisions regarding purchasing, all department staff should be cognizant of long term impacts on NCHC for any given contract and ensure that the contractor and/or vendor selected will be the highest quality and most cost efficient option for NCHC over the entire duration of the contract. For example, when one contractor/vendor has the lowest bid, but the maintenance costs over the product life cycle are significantly more than the bid price gap between two contractors/vendors, NCHC should select the contractor/vendor that provides NCHC with highest quality and best price over the contract and/or product life cycle. Other considerations include, but are not limited to, the following:

- Contractor/vendor reputation and quality;
- Product warranties and other quality indicators;
- Compatibility of product with NCHC's systems;
- Whether staff training is offered as part of the product/service delivered or whether training and implementation will result in additional acquisition costs;
- Availability of goods/services within the required delivery time;
- Financial stability of the vendor;
- Payment terms;
- Any other factor resulting in increased value and/or decreased cost to NCHC.

11. Appeals Process

If unsuccessful bidder, offeror or contractor can show good cause as to why an award of contract was not in the best interests of NCHC, a formal protest must be filed with the Managing Director of Finance and Administration, in writing, within five (5) business days of the date of notice of award. The written notice of intent to protest must identify the Statutes or NCHC Policy provisions that are alleged to have been violated.

The Managing Director of Finance and Administration shall inform the Executive Director and conduct an investigation regarding each protest and may request information from departments or Legal Counsel when necessary. The Managing Director of Finance and Administration may also create an evaluation team to review the merits of the protest, depending on the complexity of the project.

The decision of the Managing Director of Finance and Administration may be appealed to the Executive Director within five (5) working days of issuance. The appeal must allege a violation of a Wisconsin Statute or a NCHC Policy provision.

12. Ethics in Public Contracting

Employees' Conflict of Interest

It shall be unethical for an employee to participate, directly or indirectly, in a procurement when the employee knows or should know that:

- the employee or any member of the employee's immediate family has a financial interest pertaining to the procurement; or
- any other person, business or organization with whom the employee or any member of an employee's immediate family is negotiating or has an arrangement concerning

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prospective employment is involved in the procurement.

An employee or any member of an employee's immediate family who holds a financial interest in a disclosed blind trust shall not be deemed to have a conflict of interest with regard to matters pertaining to that financial interest.

Gratuities and Kickbacks

Gratuities. It shall be unethical for any person to offer, give or agree to give an employee or former employee, or for any employee or former employee to solicit, demand, accept or agree to accept from another person, a gratuity or an offer of employment in connection with any decision, approval, disapproval, recommendation, preparation or any part of a program requirement or a purchase request, influencing the content of any specification or procurement standard, rendering of advice, investigation, auditing or in any other advisory capacity in any proceeding or application, request for ruling, determination, claim or controversy, or other particular matter, pertaining to any program requirement or a contract or subcontract or to any solicitation or proposal.

Kickbacks. It shall be unethical for any payment, gratuity or offer of employment to be made by or on behalf of a subcontractor under a contract to the prime contractor or higher tier subcontractor or any person associated with the prime contractor or higher tier subcontractor, as an inducement for the award of a subcontract, or order.

Contract Clause. The Managing Director of Finance and Administration shall ensure that the prohibition against gratuities and kickbacks prescribed in this section shall be conspicuously set forth in every contract and solicitation.

Prohibition Against Contingent Fees

It shall be unethical for a person to directly or by retaining another person to solicit or secure a NCHC contract upon an agreement or understanding for a commission, percentage, brokerage or contingent fee, except for retention of bona fide employees or bona fide established commercial selling agencies for the purpose of securing business.

Use of Confidential Information

It shall be unethical for any employee or former employee knowingly to use confidential information for the actual or anticipated personal gain of the employee or former employee or of that person's immediate family.

13. Socioeconomic Contracting

As part of the procurement process, NCHC shall take affirmative steps to assure that minority-owned, women-owned, small, and labor surplus area firms are used when possible. The affirmative steps must include at least the following:

- Placing qualified small and minority businesses and women's business enterprises on solicitation lists;
- Assuring that small and minority businesses, and women's business enterprises are solicited whenever they are potential sources;

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- Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small, minority-owned, and women-owned businesses;
- Establishing delivery schedules, where the requirement permits, which encourage participation by small, minority-owned, and women-owned businesses;
- Using the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce;
- Requiring the prime contractor, if subcontracts are to be let, to take the five previous, affirmative steps.

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PROPOSED 2024 NCCSP Meeting Schedule

Executive Committee

NCCSP Board

JANUARY

Wednesday, January 31
1:00 p.m.

Thursday, January 25
3:00 p.m.

FEBRUARY

Wednesday, February 28
1:00 p.m.

MARCH

Wednesday, March 27
1:00 p.m.

Thursday, March 28
3:00 p.m.

APRIL

Wednesday, April 24
1:00 p.m.

MAY

Wednesday, May 29
1:00 p.m.

Thursday, May 30
3:00 p.m.

JUNE

Wednesday, June 26
1:00 p.m.

JULY

Wednesday, July 31
1:00 p.m.

Thursday, July 25
3:00 p.m.

AUGUST

Wednesday, August 28
1:00 p.m.

SEPTEMBER

Wednesday, September 25
1:00 p.m.

Thursday, September 26
3:00 p.m.

OCTOBER

Wednesday, October 30
1:00 p.m.

NOVEMBER

Wednesday, November 20
1:00 p.m.

Thursday, November 21
3:00 p.m.

DECEMBER

Wednesday, December 18
1:00 p.m.