



Purchasing

City of Roswell Purchasing Policy

Promulgated May 2026

Approved as to Form:

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Policy Approved:

[Signature] Date: 5-22-26
City Manager

Council Ratification

Date: _____



**City of Roswell
Procurement Code of Ethics**

Purchasing

All City of Roswell employees, elected officials, and individuals involved in procurement activities shall adhere to the highest standards of ethical conduct in accordance with the New Mexico Procurement Code, Sections 13-1-190 through 13-1-199 NMSA 1978. Any action that is inconsistent with the proper discharge of public duties shall constitute ethical misconduct and may result in a breach of public trust.

Prohibited conduct includes, but is not limited to, participation in procurement decisions involving actual or perceived conflicts of interest, or the use of confidential information for actual or anticipated personal gain, whether for oneself or on behalf of another individual or entity.

A violation of ethical conduct includes the acceptance of money, gifts, gratuities, favors, or anything of value from any individual or entity that a public employee knows, or has reason to know, is seeking to do business with the City or may become a party to a procurement transaction.

All City of Roswell employees shall conduct themselves in a manner that avoids both actual impropriety and the appearance of impropriety. Employees shall not engage in any activity that could reasonably be perceived as influence peddling, favoritism, or undue preference toward any individual or entity.

In maintaining a high standard of ethical conduct, all City of Roswell employees involved in procurement activities shall:

1. Avoid participating in procurement transactions that create, or appear to create, a conflict between personal interests and the interests of City of Roswell.
2. Avoid the intent and appearance of unethical or compromising conduct in relationships, actions, and communications.
3. Never use confidential information as means of obtaining financial enrichment or personal betterment for oneself or for any other person.
4. Decline personal gifts, gratuities, or favors from present or potential suppliers, as such items may influence, or appear to influence, procurement decisions.
5. Focus attention on the objectives and policies of City of Roswell.
6. Promote positive supplier relationships through courtesy and impartiality in all aspects of procurement operations and activities.
7. Strive to obtain the maximum value for each dollar expended.
8. Grant all competitive suppliers equal consideration insofar as New Mexico or federal statutes,

regulations, and City of Roswell policy require.

9. Conduct business with potential and current suppliers in an atmosphere of good faith.
10. Expect honesty in all aspects of sales representation, whether offered verbally, in writing, by advertisement, or by sample.
11. Protect ideas, designs, and information entrusted to the City from improper disclosure or use in competitive purchasing.
12. Make every reasonable effort to negotiate an equitable and mutually agreeable settlement of any controversy with a supplier, insofar as City of Roswell Policy permits.
13. Promote awareness of these ethical practices among City departments and employees involved in procurement.
14. Develop skills, expand knowledge, and conduct business in a manner that demonstrates competence and promotes the procurement profession.

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I. GENERAL PURCHASING

- A. The Chief Procurement Officer ("CPO" or "Procurement Officer") shall serve as the City's procurement authority and may perform the following duties pursuant to the Procurement Code, except that authorized P-Card users may make approved small purchases in accordance with the City's Purchasing Card Policy:
1. Make determinations, including determinations regarding exemptions, pursuant to the Procurement Code;
 2. Issue purchase orders and authorize small purchases pursuant to the Procurement Code; and
 3. Approve procurement pursuant to the Procurement Code.

NMSA 1978, 13-1-95.2.

- B. The City Purchasing Policy shall be in compliance with the rules, regulations and requirements of the State of New Mexico "Public Purchases and Property Act," and the State Procurement Code, Chapter 13 NMSA 1978.

Definition: Purchase: The commitment, obligation, or expenditure of City of Roswell funds to obtain goods, services, construction, or items of tangible personal property.

- C. Purchases shall be made from responsible vendors offering quality goods or services at prices and terms that are in the best interest of the City, with due consideration given to price, quality, availability, delivery, and other relevant factors.
- D. Any purchase made without appropriation or compliance with applicable law and this Policy shall be considered an unauthorized purchase and may be denied payment by the City, subject to applicable law and administrative review.
- E. Unauthorized purchases may include, but are not limited to:
1. Obtaining goods or services prior to required approval or purchase authorization and encumbrance¹;
 2. Dividing or splitting purchases or invoices to avoid approval thresholds, procurement requirements, or card limits; and
 3. Making purchases without sufficient budget authority or required internal approvals.
- F. Tax Exempt Status.: The City of Roswell is exempt from gross receipts tax on purchases of tangible goods. Services and labor are taxable. Departments shall consult the Finance Department when the applicable tax treatment is unclear.
- G. If price and quality are comparable, the person(s) authorized to make a purchase should

equally trade with local business firms in an effort to give each City of Roswell vendor as much business as another City vendor.

- H. **Knowledge of Policy:** A copy of this Policy and any approved supplements shall be provided to each affected department, department head, and other designated personnel. Such personnel shall be responsible for becoming familiar with, understanding, and complying with the provisions of this Policy.
- I. **Enforcement:** Apparent violations of this Policy shall be reviewed by the Treasurer, Certified Procurement Officer, City Manager, or designee, as appropriate. If a violation is determined to have occurred, the matter shall be addressed in accordance with the merit system ordinance, other applicable law, City procedures, and any required reporting process. Fraud, waste, or abuse shall be reported to the governing body and State Auditor as provided by law.
- J. The City of Roswell shall follow all exemptions authorized under Section 13-1-98 NMSA 1978 and may utilize other procurement methods authorized by law, including cooperative procurement and related provisions under Sections 13-1-135 through 13-1-137 NMSA 1978, as applicable.
- K. **DISPUTES:** When there is a question or disagreement about the legality or propriety of a purchase between the CPO and City Administration, the matter shall be referred to the City Attorney for legal review and opinion. The City shall proceed in accordance with the City Attorney's legal opinion, applicable law, and the purchasing authority established by this Policy.

II. STANDARD PURCHASING PROCEDURE APPLICABILITY

- A. **Standard Purchasing Procedure Applicability.** "Standard Purchases" are described as systematic, planned, and necessary purchases for administration and operation of a project, division and/or department. Except as otherwise provided in the Emergency Procurement Procedures section of this Policy, all such purchases shall be made in accordance with the standard purchasing procedures set forth herein.
- B. Due to the nature of certain procurements, the following purchases are strongly encouraged to be reviewed or approved through the department or official identified below, regardless of purchase amount:
 - 1. **Information Technology (IT):** All information technology purchases, including electronic or digital equipment to be inventoried or leased, shall be reviewed and approved through the Information Technology Department.
 - 2. **Facilities:** All purchases related to City buildings, grounds, and facilities shall be reviewed and approved through the Engineering Department.
 - 3. **Vehicles:** All vehicle purchases shall be approved through the Procurement Officer in consultation with the Fleet Director.

III. INITIATING A PURCHASE: PO REQUEST

- A. All standard purchases authorized by this Policy shall be initiated through the use of either a City of Roswell Purchasing Card (P-Card) or a City of Roswell PO Request, issued prior to placing an order or making a purchase. A PO Request is the internal, formal request to encumber funds² to acquire goods or services through the City's CPO that can result in a Purchase Order or otherwise valid contract. The "Purchase order" is the document issued by the City's central purchasing office that directs a contractor to deliver items of tangible personal property, services or construction. The Certified Procurement Officer and City Manager reserve the right to approve or deny any purchase request.

NOTE: Before making a PO Request you must verify that you have sufficient funds in the appropriate line. If not, the appropriate line-item adjustment must be requested. Budget adjustments of \$10,000 and under shall be approved by the Treasurer, above \$10,000 but no more than \$60,000 shall be approved by the City Manager, and above \$60,000 shall be approved by the governing body. Any adjustment between funds must be approved by the governing body.

Each PO request shall include the following but is not limited to:

1. **Vendor:** The name of the business or entity to which the purchase order will be issued.
2. **Vendor Number:** New vendor numbers shall be assigned through the Finance Department. The department initiating the purchase shall be responsible for submitting all required vendor documentation, including a current W-9, to the Finance Department.
3. **Terms:** The City of Roswell pays net within 30 days of receipt of invoice unless other arrangements are made and included on this section of the purchase order.
4. **Quantity:** The Specific unit of measure and the approximate quantity requested. Units may include, but are not limited to, "each," "box," "gallons," "reams," or "pounds." If the exact quantity is not known, the user shall provide the best estimate of quantity.
5. **Description:** A description sufficient to identify the goods or services being procured. If the procurement is made under an agreement, contract, bid, RFP, or other solicitation, the applicable agreement or solicitation number shall be referenced.
6. **Estimated Amount:** The estimated total cost of the procurement. If the exact cost is unknown, the requesting department shall provide its best estimate or request a "Blanket or open" PO.
7. **Department:** The name of the department or division initiating the purchase order/requisition.
8. **Authorization:** The requisition shall be approved through the City's purchasing software workflow by the department head or other authorized user, as applicable.

9. **Account Number:** The appropriate budget line-item account number to be charged. It is the authorized user's responsibility to assign the correct line-item account number to the Purchase Order. Multiple line-item accounts may be included in the Purchase Order.

IV. AUTHORIZATION OF PURCHASE ORDERS

- A. **Authorization of Purchase Orders.** The user department must have an authorized purchase order issued prior to executing the purchase. Purchase orders may be transmitted to vendors by email. The user department shall ensure that the purchase order number is referenced on the invoice submitted to the City for payment. Purchases made prior to obtaining a purchase order are prohibited, except as otherwise provided in the Emergency Procurement Procedures section of this Policy. Any revision to an authorized purchase order shall require approval through the applicable workflow to ensure procurement compliance and the availability of funds.
 1. Purchase orders or pay vouchers are required before work may be performed or goods received. Notice of Awards ("NOA") shall not be issued until there is an encumbrance for the award. NOAs promptly followed by a PO are not a violation of this policy.
- B. **Change orders: Adding different items to a Purchase Order after it has been authorized is prohibited, unless approved by the City Manager, or designee, to ensure compliance; i.e., change orders. Change orders for additional goods and/or services or increases in cost need to be requested prior to work being done. Change orders shall not exceed \$60,000.00 or 10% of the project, whichever is less, without governing body approval.**
- C. **Open Purchase Orders:** For the purpose of this policy, open Purchase Orders are Purchase Orders against which multiple billings will be submitted over a specific period of time. All open Purchase Orders shall be accompanied by any required applicable documentation. An open Purchase Order will be closed out at the end of the fiscal year. The open Purchase Order shall include an estimated total cost of all purchases anticipated during the specific period. It is the user department's responsibility to ensure that the actual invoices for all purchases made using an open Purchase Order be submitted to the Finance Office upon receipt and the final invoice shall be marked **FINAL** to denote closing of the open Purchase Order.

V. INVOICES

- A. **Invoices.** An invoice is an itemized statement submitted by the vendor to the City of Roswell for payment of goods or services provided to the City. It is the responsibility of the vendor to ensure that a valid purchase order has been issued prior to providing goods or services, and the vendor shall include the purchase order number on the invoice submitted to the City for payment. In cases where the purchase order number is not included on the invoice when required, the vendor shall be notified.
 1. The Finance Department, at its discretion, is authorized to return any invoice that does not

reference a valid purchase order number. The City shall not be responsible for purchases made without an executed and authorized purchase order.

- B. The vendor shall be notified that repeated improper invoicing is sufficient cause to exclude the vendor from the City of Roswell's purchasing program. The City may also refuse payment in any case involving an unauthorized purchase.

1. **Verification of Invoices.** All invoices shall be reviewed by user departments prior to payment to ensure that goods or services have been received and to certify authorization for payment. The certification shall include the authorized approval, date of approval, and purchase order number on the invoice, as applicable. It shall be the responsibility of each user department to ensure that outstanding invoices are promptly submitted for payment.
2. **Processing for Payment.** The Finance Department shall ensure that all invoices received are appropriately authorized and certified prior to payment. The Finance Department shall be responsible for ensuring that appropriate procedures are established and followed for payment after invoices are received, including timely payment, receipt of applicable discounts, and avoidance of late charges.

VI. SMALL PURCHASES, QUOTES & COMPETITIVE PURCHASES

- A. General purchasing shall be conducted in compliance with the New Mexico Procurement Code, Sections 13-1-28 through 13-1-199 NMSA 1978. Employees involved in procurement shall comply with applicable ethical standards and shall not participate in procurements were prohibited by law or engage in bribery, gratuities, kickbacks, misuse of confidential information, or other unlawful conduct. Violations may result in administrative, civil, or criminal penalties under applicable law. The New Mexico criminal statutes impose felony penalties for bribes, gratuities and kickbacks. Individuals who knowingly violate the State Procurement Code or State law may face a civil penalty of up to \$1,000 per violation as outlined in the New Mexico State Statute. Moreover, any entity or individual that deliberately breaches the State Procurement Code may be charged with either a misdemeanor (for transactions involving \$50,000 or less) or a fourth-degree felony (for transactions exceeding \$50,000). Authorized users shall attempt to ensure that all purchases are made at best possible prices. **The thresholds below are for the maximum amount per vendor, per fiscal year, for the same item City wide.**

B. Small Purchases (Under \$60,000.00)

Pursuant to Section 13-1-125 NMSA 1978, procurements of services, construction, or items of tangible personal property having a value not exceeding sixty thousand dollars (\$60,000), excluding applicable state and local gross receipts taxes, may be made in accordance with the City's small purchase procedures and applicable law. Procurement requirements shall not be artificially divided for the purpose of qualifying as a small purchase.

1. **Up to \$19,999 - Small Purchases:** Total purchases that fall within this dollar limit may be processed without quotes. Awards can be made without securing competition if the user determines that the price received is reasonable. The user is not precluded from

obtaining quotes from more than one vendor if the user suspects that the price is not reasonable or determines that it is in the best interest of the City.

Note: The Certified Procurement Officer may work to find other purchases, at other prices, if inadequate or insufficient prices are found by the purchaser and may deny any small purchases.

2. **\$20,000 to \$59,999 - Formal Quotes:** Purchases shall be made according to the best obtainable price, or best quality service substantiated with an explanation, and provided by at least three (3) bona fide written quotes on **official** vendor letterhead.

Requirements Applicable to Written Quotations:

- Proper procurement processes are still required for the P-Card.
- The Authorized User shall provide written justification supporting the vendor selected. Such justification may include relevant factors such as price, availability, delivery time, items in stock, shipping costs, compatibility, quality, or other considerations determined to be in the best interest of the City.
- If fewer than three (3) written quotations are obtained because there are not three known vendors able to provide the required goods or services, or because a vendor declines to quote, the using department shall attach the quotations received and document the vendors contacted and the reason fewer than three (3) quotations were obtained.
- Written quotations shall include, at a minimum, the vendor's name, contact name, contact information, items or services quoted, and pricing.
- When a procurement exceeds available budget authority, the using department shall obtain any required budget transfer, budget adjustment, and internal workflow approvals before the procurement proceeds.

3. **Professional Services Not Exceeding \$60,000.**

1. In accordance with Section 13-1-125 NMSA 1978, the City may procure professional services having a value not exceeding sixty thousand dollars (\$60,000), excluding applicable state and local gross receipts taxes, in accordance with applicable professional services procurement requirements.
2. This provision does not apply to the procurement of landscape architect or surveyor services for state or local public works projects, which shall be procured in accordance with Sections 13-1-120 through 13-1-124 NMSA 1978.

- C. **Procurements Exceeding \$60,000** - Procurements of services, construction, or items of tangible property having a total value in excess of sixty thousand dollars (\$60,000) shall be made

through the applicable procurement method authorized under the New Mexico Procurement Code and shall be conducted by or through the Chief Procurement Officer. Pursuant to Section 13-1-102 NMSA 1978, competitive sealed bids shall be used unless another procurement method authorized under the Code is applicable, including competitive sealed proposals under Sections 13-1-111 through 13-1-122 NMSA 1978, procurements under existing contracts under Section 13-1-129 NMSA 1978, or cooperative procurement under Section 13-1-135 NMSA 1978. Such procurements must be approved in the current budget. Procurements not approved in the current budget shall require any necessary budget approval prior to award or issuance of a purchase order, as applicable. Bids or proposals may be rejected by the Chief Procurement Officer, City Manager, Evaluation Committee, or City Council if they exceed available budget authority, are nonresponsive to specifications, or contain irregularities in the solicitation or response. The Chief Procurement Officer reserves the right to delay approval, to seek additional confirmation or information regarding any purchase, and to request additional information.

1. Purchases must be approved in the current budget through the formal budget process that includes City Council Approval. **Purchases not approved in the current budget require approval by the City Council prior to awarding a bid or proposal to a potential vendor.** Proposals and Bids may be rejected by the Chief Purchasing Officer, City Manager, Evaluation Committees or City Council in the event that they are in excess of budgetary limits, are non-responsive to specifications, or due to irregularities in the proposal or bid specifications.
2. The Chief Purchasing Officer reserves the right to delay approval, to seek additional confirmation or information regarding any purchase, and to request additional information.

D. Statewide Contracts, Federal Contracts, Existing Contracts, and Cooperative Procurements. Sealed competitive bids are not required when the City is making a procurement under an applicable statewide contract, federal contract, existing contract, or cooperative procurement authorized under the New Mexico Procurement Code. The Chief Procurement Officer may request additional quotes, pricing, or supporting documentation, at their discretion, when necessary to determine price reasonableness or best value.

1. Purchases may be made when the vendor holds an applicable statewide or federal contract, or when the procurement is made under a qualified and documented procurement conducted by another state or local government agency.
2. Applicable federal, state, or cooperative contract numbers shall be identified on the purchase order or procurement record. Supporting contract documentation shall be maintained in the procurement file in accordance with applicable records retention requirements.
3. The City may purchase items cooperatively through another public body's bid or request for proposal process pursuant to Section 13-1-135 NMSA 1978. Supporting solicitation documents, vendor responses, verification of award, and other relevant documentation shall be maintained in the procurement file.

VII. COMPETITIVE PROCUREMENT EVALUATIONS AND AWARDS

A. Evaluation Committees

When an evaluation committee is used, the Chief Procurement Officer or designee shall appoint committee members appropriate to the procurement. Evaluation committees should include individuals with knowledge of the goods, services, construction, or items of tangible personal property being procured. Subject matter experts may provide technical assistance but shall not score proposals unless appointed as voting committee members. Evaluation committees should be made up of:

1. Users of the good, service, or item of tangible personal property to be purchased is preferred:
 - a. Department Heads are permissible when a User is not available, though persons working with the item most is preferred; and a member from Information Technology (IT), as *needed*, for technical support or guidance. Five (5) persons are recommended, with three (3) persons as a minimum and seven (7) as a maximum.
 - b. People who participated in the pre-procurement process also are ideal members of the Evaluation Committee.
2. When an anticipated award is less than the City Manager's purchase authority, a qualified member of the governing body may be offered a seat on the evaluation committee.
3. Evaluation criteria is not standardized and should be tailored to suit the City's need/specific requirements weighted for "Best Value."
4. A legal representative may be a part of the RFP evaluation, when necessary, in instances where new or alternate terms and conditions or unusual, out of the ordinary, terms and conditions are submitted by an Offeror and/or City of Roswell.
5. The Chief Purchasing Officer may sit in on Evaluation Meetings for technical assistance but will not be an evaluator/voting member of the Evaluation Team unless new or alternate terms and conditions or unusual, out of the ordinary, terms and conditions are submitted by an Offeror and/or City of Roswell.

B. Evaluation Committee Responsibilities.

1. Evaluation committee members shall review proposals in accordance with the evaluation criteria set forth in the solicitation.
2. Evaluation criteria and assigned weights shall be established prior to opening proposals and shall be included in the solicitation documents.
3. During the RFP evaluation process, the Chief Purchasing Officer or person authorized to

release results or communicate with the Offerors. All the Requests for further information or clarification must be forwarded to the Chief Purchasing Officer. The Chief Purchasing Officer may contact the Offeror for clarification of the response. **Any attempt by an Offeror to discuss an RFP with anyone other than the Chief Purchasing Officer should be reported to the Treasurer, City Manager, or designee, and the Chief Purchasing Officer.**

4. While serving as an Evaluation Committee member, all possible perceived or actual conflicts of interest will be disclosed promptly to the Chief Purchasing Officer.
5. All members of the Evaluation Committee shall sign the Evaluation Committee Member Declaration.
6. The City Attorney of Record or representative will review and provide advice on contract terms and conditions.
7. Each Committee member is responsible for reviewing each proposal, attending any Evaluation Committee meeting and attending any finalist presentation or demonstration deemed necessary.
8. Designated subject matter experts will be available to advise the Evaluation Committee of technical matters, but they are not involved in the scoring of Offeror proposals.

C. Confidentiality and Communications.

1. During the evaluation process, proposals and evaluation materials shall be kept confidential to the extent required by the New Mexico Procurement Code. Offerors shall not communicate with evaluation committee members regarding the solicitation. Any attempted communication by an offeror shall be reported to the Chief Procurement Officer.
2. The contents of any proposal shall not be disclosed so as to be available to competing offerors during the negotiation process, until the award of the contract. Pursuant NMSA 1978 13-1-116.

D. Selection and Award.

1. The evaluation criteria for all proposals, except architects, engineers, and surveyors, shall include, but is not limited to the following factors; price (cost), adherence to specifications, availability/delivery, support, capability of vendor. Additionally, when there is no material difference between bids/quotation, local vendors shall be given preference.
2. Bids are awarded based on lowest responsive bid (cost) where all specifications/requirements are met.

3. RFPs shall be evaluated based on the evaluation factors and point system established in the Request for Proposals. Responsive proposals shall be reviewed and scored by the evaluation committee. Award shall be made to the responsible offeror or offerors, as applicable, whose proposal is determined to be most advantageous to the City, taking into consideration the evaluation factors set forth in the Request for Proposals.
4. All bids and Requests for Proposals require governing body approval prior to award when the value of the Contract is in excess of \$250,000.00.

E. Bid/RFP Timelines

1. Invitations for Bids shall be published or noticed not less than ten (10) calendar days prior to the date set for bid opening, in accordance with Section 13-1-104 NMSA 1978. The Certified Procurement Officer may establish a longer response period, when necessary, based on the complexity of the procurement, City Council agenda deadlines, or other operational needs.
2. As a general guideline, RFPs will have a 14-day response period after issuance/advertisement.
3. Awards that require governing body approval shall be submitted to the governing body and/ or its committee(s) as provided under state law and the governing body's Rules of Order.
4. The preceding timelines are a general guideline and may depend on Council meeting schedules. The Certified Purchasing Officer reserves the right to change timelines for bid opening or RFP response time, as necessary, but will try to follow this general timeframe guideline.

F. Specifications.

1. Specifications shall be written to describe the City's needs and **shall not** be drafted in a manner that intentionally favors or excludes a vendor. When brand names, models, or specific standards are used, the solicitation shall allow equivalent products or services unless a written determination supports a more restrictive specification.

G. Procurements Under Existing Contracts or Cooperative Procurements.

1. A separate competitive solicitation is not required when the City is procuring under an applicable state contract, federal contract, existing contract, or cooperative procurement authorized under the New Mexico Procurement Code. Supporting contract and award documentation shall be maintained in the procurement file.

H. Solicitation Timelines and Public Notice

1. Solicitation timelines shall be established by the Chief Procurement Officer based on the

type, complexity, and requirements of the procurement, while allowing sufficient time for competition and any required RFP City approvals.

2. Invitations for Bids and Requests for Proposals, or notices thereof, shall be published once in at least one (1) newspaper of general circulation and posted on the City's designated procurement portal. Additional electronic posting may be used as determined appropriate by the Chief Procurement Officer.
3. Pursuant to Section 13-1-104 NMSA 1978, an Invitation for Bids, or notice thereof, shall be published not less than ten (10) calendar days prior to the date set for bid opening. Public notice of a Request for Proposals shall be given in the same manner pursuant to Section 13-1-113 NMSA 1978.
4. The Chief Procurement Officer may adjust solicitation response periods and timelines, when necessary, based on the procurement schedule, City Council agenda deadlines, complexity of the procurement, or other operational needs, provided all statutory public notice requirements are met.

VIII. EMERGENCY PROCUREMENT

A. Emergency Condition.

1. An emergency condition exists when services, construction, or items of tangible personal property are needed immediately to address a serious threat to public health, welfare, safety, or property, and the procurement cannot be made through normal procurement methods. Emergency procurements shall be made in accordance with Section 13-1-127 NMSA 1978. **Common examples of emergencies include floods, fires, epidemics, riots, acts of terrorism, equipment failures or similar events and includes the planning and preparing for an emergency response.**

B. Competition and Written Determination.

1. The Chief Purchasing Officer and/or City Manager, in concert with the Mayor or designee, within 72 hours, will make a written determination of the basis for the emergency procurement and for the selection of the particular contractor or vendor shall be included in the procurement file. Emergency procurements shall not include the purchase or lease purchase of heavy road equipment.
2. Emergency procurements shall be made using competition to the extent practicable under the circumstances. The written determination shall be included in the procurement file.
3. Any emergency procurement/purchases that are less than the state's small purchase threshold does not have to be reported to the New Mexico General Service Department. Any emergency procurement/purchase exceeding the State's small purchase threshold should be reported to the New Mexico General Service Department and forward the same information to the legislative finance committee.

- C. **Approval and Notification.** Emergency procurements in excess of the City Manager's spending authority shall require notification and ratification by the governing body in accordance with governing body's Rules of Order.
- D. **Limitations and Reporting.** Emergency procurements shall not include the purchase or lease-purchase of heavy road equipment. Any required reporting or recordkeeping for emergency procurements shall be completed in accordance with Sections 13-1-127 and 13-1-128 NMSA 1978.

IX. SPECIAL FUNDS

- A. Funds for specialized activities, such as special boards, undercover operations, inmate cash, etc. shall be specifically appropriated by the City Council. The Treasurer and/or City Manager, or designee, shall be responsible for preparing written supplements, establishing safeguards, provisions, and procedures to ensure appropriate accounting and maximum accountability for such funds. The office or department head shall be the custodian strictly responsible for the appropriate use of these funds. User departments shall designate custodians and alternate custodians of special funds.
- B. When procuring federal funds, the City of Roswell follows the standards set forth by the PDTA Procurement Review Checklist pertaining to the 2 CFR § 200.

X. SOLE SOURCE PROCUREMENT

- A. **Sole Source Purchase:** A contract may be awarded without competitive sealed bids or proposals regardless of the estimated cost when the Chief Purchasing Officer makes a determination, after conducting a due diligence review of available sources and consulting the using department, that there is only one source for the required service, construction or item of tangible personal property. The Chief Purchasing Officer, Treasurer and/or City Manager, or Designee, shall conduct negotiations, as appropriate, as to price, delivery and quantity in order to obtain the price most advantageous to the City of Roswell, under 13-1-126 NMSA 1978. Sole Source Purchases shall be made also under the following provisions:

- 1. The service, construction or item of tangible personal property must be unique and this uniqueness must be substantially related to the intended purpose of the contract.

NOTE: No person may circumvent this requirement by narrowly drafting specifications so only one predetermined source will satisfy the specifications.

- B. . Prior to approval of a sole source procurement the Procurement Administrator will:
Complete the "Sole Source Justification Request Form"
- C. . Following receipt of the Justification Request form, the Chief Purchasing Officer will use diligence in determining the basis for the request and will review available sources and may consult further with the requesting department.

- D.** If the Chief Purchasing Officer determines sole source procurement is justified, they will provide the information to the State of New Mexico for posting on the State's website and post notice of the intent to procure through sole source on the City's website for a minimum of 30 calendar days. After the notice has been posted for 30 days on the State's website and the City's website, and providing no protests have been filed in relation to the posting, the Chief Purchasing Officer can allow the procurement.



City of Roswell Purchasing Card (P-Card) Policy

A. GENERAL PURPOSE

The purpose of the Purchasing Card Program is to streamline and simplify the requisitioning, procurement, and payment process for authorized small purchases made in accordance with the City of Roswell Purchasing Policy. The P-Card is intended to provide an efficient method for approved purchases while maintaining appropriate internal controls, documentation, accountability, and compliance with applicable procurement requirements.

DEFINITIONS

- a. **Purchase:** For the purpose of this policy, "Purchase" is defined as the commitment, obligation and/or expenditure of City of Roswell supervised funds to obtain goods or services.
- b. **Approval:** For the purpose of this policy, "Approval" is defined as the initial of the Reconciler and Department Head of the employee responsible for the purchase.
- c. **Unauthorized Purchase:** For the purpose of this policy an "Unauthorized Purchase" is defined as items, products or services purchased for personal use, splitting purchases (two cardholders paying for one item to avoid going over Cardholder limits described below OR splitting purchases to circumvent any purchasing regulations) or purchases made through any merchant considered being inappropriate for City funds, any alcohol purchased with City funds, sales tax on material or tangible items, and fuel for City vehicles where a Wright Express Card ("WEX") should be utilized. Credit card fees will be accepted. The City does encourage all users to avoid any type of credit card fee when possible.

B. SCOPE

This Policy applies to all City of Roswell employees, officers, elected officials, and other authorized individuals issued or permitted to use a City Purchasing Card.

CARDHOLDER LIMITS

- a. All employees must complete a P-Card Acknowledgment Form prior to receiving a City P-Card.
- b. All cardholders may request an increase to their monthly purchase limit, with the approval of Procurement Officer and City Manager.

- c. No fixed assets are allowed to be purchased through the P-Card. Such purchase can result in the termination of P-Card privileges.

Note - Because not all procurement situations can be defined, the Treasurer, City Manager, or Designee may approve the use of the P-Card in extenuating purchase situations. If special approval is granted, the cardholder shall document the circumstances in explicit detail in their P-Card statement.

Cardholder Group	Monthly Purchase Limit	Single Transaction Limit
Chief Procurement Officer	\$50,000	\$50,000
Elected Official	\$10,000	\$5,000
City Manager	\$10,000	\$5,000
Assistant Manager / Treasurer / Counsel	\$10,000	\$5,000
Supervisors/Managers	\$10,000	\$5,000
Large Group Purchasers (Police & Fire Chief)	\$20,000	\$10,000
Multi-Group Purchasers (IT & Engineering)	\$20,000	\$10,000
Regular Staff	\$20,000	\$5,000

APPROVAL

- All purchases made using the P-Card must be approved by the users Reconciler and/or Elected Official/Department Head on the statement indicated by initials and date.
- All transactions must be coded and have a description, weekly.

RECONCILIATION

- All users or their designated Reconciler shall complete a reconciliation of their P-Card Statement.
- The cardholder or Reconciler **MUST** code their transactions and include a detailed description of the purchase. For example, simply putting "meal" is not enough of a description.
- The Finance Department shall distribute the completed P-Card approval list to each department monthly via the City's finance software.
- All users shall keep a copy of P-Card Statements for at least one (1) year in their files as a backup and/or for frequent and random auditing purposes as deemed necessary by the Finance Department.
- Cardholders must submit an approved travel request with statement when the P-Card is used for travel.

REPORTING

- a. Cardholders shall submit an itemized receipt, or acceptable copy, for each transaction listed on their P-Card statement..
- b. Under circumstances where an itemized receipt is unobtainable, an affidavit from the officer or employee attesting to the expense may be submitted in place of an itemized receipt. Overusing the affidavit form will result in the cancellation of a P-Card. The cardholder must take necessary steps to contact the vendor and request a copy of the itemized receipt and avoid using the affidavit. The affidavit is a replacement of a lost receipt and a statutory requirement that itemized receipts are submitted for reimbursement and with your P-Card statement. In the description, specific purchases are required and the price of the purchase.
- c. It is ultimately the cardholder's responsibility to turn their statement into their approver for review, whether they reconcile their P-Card statement themselves or designate a reconciler within their department to reconcile their P-Card statement. Cardholders can choose to have their designated reconciler turn it in to the cardholder's approver, but any findings pertaining to the statement will be violations towards the cardholder, not the reconciler.
- d. For travel and business reimbursed expenses an itemized receipt is **required**. Please refer to the City Travel Policy.
- e. The total amount of each receipt shall be legible and must match the corresponding transaction on the P-Card statement..
- f. Every receipt must be submitted electronically through the City's finance software.

LOST OR STOLEN CARDS

- a. Employees are responsible for the security of their card and any purchases made on their account. If an employee believes they have lost their card or that it has been stolen, they are to immediately report this information to the issuing bank's Customer Service Department. *Immediately, after reporting to Customer Service, inform your Purchasing Card Administrator in the Finance Department.* It is extremely important to act promptly in the event of a lost or stolen card to avoid City liability for fraudulent transactions. As with a personal charge card, the employee will no longer be able to use the account number after notifying the bank. A new card may be issued on a case-by-case basis within 48 hours of notice to the bank

FRAUD

- a. Fraudulent charges discovered by cardholder must be reported immediately to the Finance Department for dispute of payment.

TERMINATION OF CARD PRIVILEGES: City of Roswell will operate under a one (1) strike policy for any and all violations of this policy. Additional penalties or disciplinary action may result for frequent offenders. A violation includes, but is not limited to, the following:

- a. Failure to reconcile completely and accurately
- b. When use of the P-Card causes budgetary limits are exceeded without prior authorization from City Management or the City Council.
- c. Frequent loss of P-Card.
- d. Purchasing a fixed asset (one item over \$4,999.99)
- e. Purchasing fuel without prior approval from the Finance Department, for a City vehicle assigned to a Wright Express card.
- f. Attempts at splitting purchases as described in "Unauthorized Purchases," above.
- g. Purchases of alcohol.
- h. Any personal purchases.
- i. Misuse of the card in any manner not consistent with this Policy or the Purchasing Policy, or the Travel Policy.
- j. Over-tipping; 20% based on actuals in travel, not to exceed the daily limit as stated in the City's current travel policy.

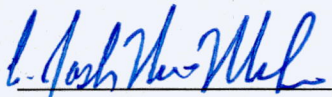
COMPLIANCE MONITORING

- a. Compliance with purchasing guidelines will be reviewed monthly and statements will be audited for compliance.
- b. Failure to comply with the above guidelines for authorized purchases under the City of Roswell Purchasing Policy or this P-Card Policy may result in disciplinary action, cancellation of employee card privileges, possible termination of employment and/or referral to the appropriate authorities for purposes of prosecution.

TERMINATION OF EMPLOYMENT

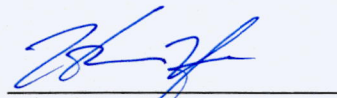
- a. Upon termination of employment, the cardholder shall immediately return the P-Card to their department head or directly to a Program Administrator

Approved as to Form:


City Attorney

Date: 5/22/26

Policy Approved:


City Manager

Date: 5-22-26