



CHARLESTON COUNTY PARK  
& RECREATION COMMISSION

**COMMISSIONERS:**

Brad Taggart, Chair

Mattese Lecque, Vice-Chair

Amy Adams, Secretary/Treasurer

Lisa King

Garrett Lacy

Merriweather Mulé

Kevin Bowie, Executive Director

# Commission Agenda

**Commission Regular Meeting**

**Monday, June 8, 2026**

**5:30 p.m.**

**CCPRC Headquarters and online at  
[www.youtube.com/@CharlestonCPRC](http://www.youtube.com/@CharlestonCPRC)**



861 Riverland Drive, Charleston, SC 29412 (843) 762-2172 FAX (843) 762-2683

**Charleston County Park & Recreation Commission  
Regular Commission Meeting  
861 Riverland Drive, Charleston, SC, 29412  
Online: [youtube.com/@CharlestonCPRC](https://youtube.com/@CharlestonCPRC)  
Monday, June 8, 2026**

**Agenda**

- |   |                              |
|---|------------------------------|
| <b>1. Call to Order &amp; Welcome</b>   | <b>Taggart</b>               |
| Introduction of Guests and Notification to Media  |                              |
| <b>2. Public Comments</b>   | <b>Taggart/Bowie</b>         |
| <b>3. (ACTION) Approval of May 11, 2026 Regular Commission Meeting Minutes</b>  | <b>Taggart</b>               |
| <b>4. Staff Updates</b>   | <b>Ellis-Strother /Bowie</b> |
| <b>5. Planning and Development Update</b>   | <b>Newshutz</b>              |
| a. <b>(ACTION) Acquisition of Property for Sol Legare Boat Landing Expansion</b>  |                              |
| b. <b>(ACTION) Change Order 002, PRC-005Approval – Design Services for ADA Parking Improvements at James Island County Park (JICP) &amp; Wannamaker County Park (WCP)</b>     |                              |
| <b>6. Financial Report</b>  | <b>McManus</b>               |
| <b>7. (ACTION) General, Financial, &amp; Procurement Policy Review/Approval</b>   | <b>Macchia</b>               |
| <b>8. (INFO) Fleet Management</b>   | <b>Stewart/Patrick</b>       |
| <b>9. Agency Highlight: Summer Hiring</b>   | <b>Ellis-Strother/Hutton</b> |
| <b>10. Executive Session – Personnel Matters</b>  | <b>Taggart/Green</b>         |
| To discuss a potential legal matter involving a personnel matter. Upon returning to open session, the Commission may take action upon matters discussed in Executive Session. |                              |
| <b>11. Committee Assignments</b>  | <b>Taggart</b>               |
| <b>12. Next Meeting &amp; Announcements</b>   | <b>Taggart/Bowie</b>         |
| Regular Commission Meeting:   |                              |
| Monday, July 13 at 5:30pm at CCPRC Headquarters, Charleston, SC   |                              |

Public comments may be submitted in writing to [execadmin@ccprc.com](mailto:execadmin@ccprc.com) by June 8, 2026 at 12:00 pm. Those who wish to address the Commission in person may do so by signing up in person by 5:15 pm. Residents can watch the Commission Meeting live via this [link](#).

**Unapproved Minutes**  
**Charleston County Park & Recreation Commission (CCPRC)**  
**Regular Commission Meeting**  
**861 Riverland Drive, Charleston, SC, 29412**  
**Monday, May 11, 2026 at 5:30 pm**

**Commission Members Present:** Brad Taggart (Chair), Mattese Lecque (Vice Chair), Amy Adams (Secretary/Treasurer), Lisa King, Merriweather Mulé, and Noah Rosenthal.

**Commission Members Not Present:** Garrett Lacy

**Staff Present:** Kevin Bowie, Phil Macchia, Charlie McManus, Gina Ellis-Strother, Steve Hutton, Christine Volousky, Eric Stewart, Melissa Muse (via teleconference), Patty Newshutz, Tommy Hale, Shanté Ellis, Kari Lavoie, Chris Fludd-Clark, and Matthew Rosebrock.

**Legal Counsel Present:** Dwayne Green.

**Guests Present:** Nikki Bowie and Jessica Gray.

**1. Call to Order and Welcome**

Introduction of Guests and Notification to Media

The Charleston County Park & Recreation Commission met on Monday, May 11, 2026 at CCPRC's Headquarters, Charleston, SC and virtually via [youtube.com/@CharlestonCPRC](https://www.youtube.com/@CharlestonCPRC). Commission Chair, Brad Taggart, called the meeting to order and welcomed those in attendance. In compliance with the Freedom of Information Act, notice of meetings and agendas were posted and furnished to news media and persons requesting notification.

**2. Public Comments**

None.

**3. Star Guard Presentation**

Chief Operations Officer, Steve Hutton, introduced Kari Lavoie, Emergency Services Manager, and Star Guard Elite organization representative, Jessica Gray. The Star Guard Elite organization oversees CCPRC's Lifeguard and Safety Certification Program. Gray presented the Elite Leadership award to Lavoie and commented that she is the first recipient of this award. Gray commended Lavoie's dedication to having high safety standards and being a motivating presence for staff. Lavoie thanked Gray and the Star Guard Elite for the award. She also thanked Nikki Bowie for hiring her into the Emergency Services Department and being the mentor that enabled her to be in the position to receive this award.

**4. (ACTION) National Beach Safety Week Proclamation**

Motion to approve the National Beach Safety Week Proclamation was made by Commissioner King and approved by the Commission. (#049-2526)

**5. (ACTION) Approval of April 20, 2026 Regular Meeting Minutes**

Motion to approve the minutes of the April 20, 2026 Regular Commission Meeting was made by Commissioner Lecque and approved by the Commission. (#050-2526)

## 6. Planning and Development Update

Planning & Development Director, Patty Newshutz, reviewed the progress staff are making related to their assigned Capital Improvement Projects, project solicitations, and potential land acquisitions.

### a. (ACTION) Award of Contract – Design Build Construction Services Cooper River County Park Revetment and Waterside Improvements

Motion to enter a contract with Caper Romain Contractors, Inc, in the amount of \$3,101,732.00 for the design-build construction of shoreline revetment and waterside improvements at Cooper River County Park, and overall project budget \$3,256,732, with funds coming from the approved CIP budget was made by Commissioner Lecque and approved by the Commission. (#051-2526)

### b. (ACTION) Engineering Services for Edisto Island Youth Recreation Center Change Order 002, RREC-002

Motion to approve a Change Order to the Davis & Floyd Inc. contract for additional services, in the amount of \$51,000.00 with funds coming from the approved CIP budget was made by Commissioner Adams and approved by the Commission. (#052-2526).

### c. (ACTION) Engineering Services for Shem Creek Boat Landing Parking Lot Extension – Change Order 001, BOAT-006

Motion to approve a Change Order to the JMT contract for additional services in the amount of \$52,304.00 with funds coming from the approved CIP budget was made by Commissioner King and approved by the Commission. (#053-2526)

### d. (ACTION) Bear Swamp Road Extension Land Transfer

Motion to approve Commission approve deed transfers for subdivided parcels B1, B2, B3 and B4 for the Bear Swamp Road extension from CCPRC to the City of Charleston was made by Commissioner Mulé and approved by the Commission. (#054-2526)

## 7. Financial Services Update

Chief Financial Officer, Charlie McManus, presented and reviewed the checks over \$7,500 and financial reports for the month of March.

McManus confirmed that the GO Bond sales were very successful after a very competitive bid. Funds will be available at the end of the month.

## 8. (ACTION) Award Contract: Supplying & Producing Fireworks Display for Annual for the Holiday Festival of Lights (HFOL)

Motion to enter into a contract with Pyrotecnico Fireworks, Inc. for the annual Holiday Festival of Lights (HFOL) fireworks display for the base year with four additional one-year options with funds coming from the approved General Agency Budget was made by Commissioner Rosenthal and approved by the Commission. (#055-2526)

## 9. (INFO) Foundation IRS Update

Gina Ellis-Strother and Tommy Hale reviewed the recently filed IRS forms with the Commission.

## 10. Executive Session: Contractual Matter (Real Estate Acquisition)

Motion to move to Executive Session to discuss a potential real estate acquisition in the East County for development of a future recreational site was made by Commissioner King and approved by the Commission. (#056-2526)

## 11. Post Executive Session:

Upon returning from Executive Session, Commissioner Taggart stated that no action was taken.

## 12. Next Meeting & Announcements

Ms. Lecque asked for the Executive Director Review/Evaluation Committee to be reinstated and for the attorney to create a tool to evaluate the Executive Director. Mr. Green confirmed that it is best practice to have an evaluation tool with goals that would allow feedback and potential opportunities to assess for compensation reviews as well. Mr. Green noted that it would protect the Commission and the Executive Director when giving feedback. Mr. Green stated that this process has been followed for the past two Executive Directors. Mr. Green noted that Board turnover also would solidify position parameters, goals, and objectives.

Motion to reinstate the Executive Director Review/Evaluation Committee and legal to come up with an evaluation tool to be distributed for Commission review/approval within 60 days was made by Commissioner Lecque and approved by the Commission. (#057-2526)

Bowie confirmed that staff are diligently trying to get Old Towne Creek County Park open as soon as possible.

Regular Commission Meeting, Monday, June 08, 2026, 5:30pm at CCPRC Headquarters, Charleston, SC

There being no further business, the meeting adjourned at 7:07 pm.

Respectfully submitted,

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Brad Taggart, Commission Chair

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Shanté Ellis, Executive Administrative Manager



## MEMORANDUM

**TO:** Kevin Bowie  
**FROM:** Patty Newshutz  
**DATE:** June 3, 2026  
**RE:** Acquisition of Property for Sol Legare Boat Landing Expansion

Planning & Development is coordinating with the Seller's Agent regarding an approximately 4.267-acre parcel at 2421 Sol Legare Road, adjacent to CCPRC's Sol Legare Boat Landing, bearing the Charleston County TMS# 330-08-00-005.

Staff will conduct the appropriate due diligence to better understand property history, boundaries, and value. The parcel encompasses over three acres of highland, making it an ideal location for expanding boat landing parking capacity and public access to waterfront.

The property was appraised at a value of \$2,535,000.

Funds for the purchase would come from the 2026 General Obligation (GO) Bond (GL Line #20002725-90070-000).

Staff Recommendation:

**A motion to allow the Executive Director to execute a purchase sale agreement for the acquisition of 2421 Sol Legare Road, TMS# 330-08-00-005 for the appraised value of \$2,535,000 and associated closing cost with funds coming from the 2026 GO Bond.**



## MEMORANDUM

**TO:** Kevin Bowie  
**FROM:** Patty Newshutz  
**DATE:** May 26, 2026  
**RE:** Design Services for ADA Parking Improvements at James Island County Park (JICP) and Wannamaker County Park (WCP), Change Order 002, PRC-005

A. Morton Thomas and Associates, Inc. has submitted a Change Order proposal for additional engineering design services, including geotechnical and hydrological testing, permitting and bid assistance. This change includes the design and permitting of accessible parking spaces and accessible routes by expanding to areas beyond the original scope, which incorporates more ADA transition plan items. These areas include paving the James Island County Park's (JICP) Picnic Center parking lot for the Holiday Festival of Lights (HFOL), extending the accessible path from Wannamaker County Park's (WCP) Cottonwood Shelter to the adjacent volleyball court, and replacing sections of inaccessible routes next to the ADA parking at the WCP Park Center.

The original contract amount of \$195,270, was executed in 2025. This Change Order proposes an amount of \$162,650, bringing the total project engineering contract amount to \$357,920. This aligns with full-service construction document engineering fees for a project of this expected construction value.

The ADA Parking Improvement project currently has a project budget of \$249,670, with additional project funding from the 2026 General Obligation (GO) Bond.

The ADA Parking Improvement project is budgeted to come from the CIP 2026 GO Bond (GL Line 20002725-90070-0000).

Staff Recommendation:

**A motion to approve a Change Order to the A. Morton Thomas and Associates, Inc. contract for additional engineering services, in the amount of \$162,650.00 with funds coming from the approved CIP budget.**

April 2026 Checks over \$7,500

Date	Check #	Vendor	Description	Amount
<b>General Agency</b>				
04/02/26	3052957	2 Oceans Promotions	Lifeguard Uniforms, Rain Jacket	\$ 14,687.19
04/03/26	3053032	Pflug Law Firm, LLC	Legal Fees	\$ 52,691.00
04/06/26	3053043	Sabine and Waters, Inc	Two Pines Longleaf Pine Underplanting	\$ 15,296.34
04/06/26	3053046	Taylor & Associates	Pool Deck Chairs For Whirlin' Waters	\$ 27,215.04
04/07/26	3053058	J Evans Services, LLC	WCP Mulching	\$ 8,800.00
04/16/26	3053099	EE Zero, LLC	Slope Mower	\$ 51,209.58
04/16/26	3053120	Starguard Elite, LLC	Starguard Elite Lifeguard Fees	\$ 28,550.00
04/23/26	3053169	Challenge Design Innovations, Inc	Challenge Course Repairs	\$ 14,930.00
04/23/26	3053174	Dominick and Co	Window Repairs	\$ 17,580.00
04/23/26	3053175	Express Maintenance	Restripe Lot, Pressure Washing	\$ 10,800.00
04/23/26	3053176	Gametime	IOP Playground Replacement	\$ 15,630.08
04/23/26	3053185	Lowcountry Signs & Services, LLC	Remaining Giving Tree Balance	\$ 15,409.79
04/30/26	3053230	Deere & Company	JD Gator Xuv590M JOICP	\$ 44,157.65
04/30/26	3053231	Deere & Company	JD 1550 Mower w/ 72" Side Disc	\$ 28,997.81
04/30/26	3053232	EGroup Holding Co	Active Directory Audit	\$ 10,720.00
04/30/26	3053239	Lakeland Direct Farm & Ranch, Inc	Horse Stalls For Barn #1	\$ 72,763.25
04/30/26	3053241	Maner Builder Supply	IOP Pedestrian Gate Replacement	\$ 9,534.00
04/30/26	3053245	Mount Valley Foundation Services	Foundation Repair at WCAC	\$ 13,574.82
04/30/26	3053255	Sea Technology	Electric Pedestals For Marina	\$ 22,950.00

<b>Capital Improvement Projects</b>				
04/07/26	544	Ashley River Site and Utilities, LLC	CCIC-004 Spillway Replacement	\$ 53,676.00
04/07/26	545	TM Taylor Construction Company, Inc	BWP-002 Beach Access Boardwalk Repair	\$ 35,652.41
04/16/26	547	REI Engineers, Inc	WCP-002 WW M1 Roof Evaluation	\$ 9,000.00
04/22/26	75	Charleston Water System	OTCCP-001 Tap and Origination Fees	\$ 26,025.00
04/30/26	79	Stantec Consulting Services, Inc	OTCCP-001 Park Master Plan Design	\$ 36,837.20
04/30/26	548	GEL Engineering, LLC	JICP-007 Edisto Hall Structure Repairs	\$ 7,912.03
04/30/26	552	TM Taylor Construction Company, Inc	JICP-007 Edisto Hall Structure Repairs	\$ 49,009.36

**Combined General Agency Operations**  
**April, 2026**

<b>Combined Revenues</b>	<b>Prior YTD Actuals</b>	<b>Year To date Actuals</b>	<b>Current Year Budget</b>	<b>% of Budget</b>
Support Services	23,758,885	25,319,902	23,930,458	106%
Park Services	14,562,415	14,881,874	22,072,263	67%
Recreation Services	1,226,301	1,227,191	1,844,214	67%
<b>Total Revenue</b>	<b>39,547,601</b>	<b>41,428,967</b>	<b>47,846,935</b>	<b>87%</b>
<b>Combined Expenses</b>				
Support Services	9,565,996	10,841,026	13,217,578	82%
Park Services	18,537,647	21,071,872	27,815,442	76%
Recreation Services	4,203,014	4,872,505	6,164,562	79%
<b>Total Expenses</b>	<b>32,306,657</b>	<b>36,785,403</b>	<b>47,197,582</b>	<b>78%</b>
<b>Net Operating Income</b>	<b>7,240,944</b>	<b>4,643,564</b>	<b>649,353</b>	
<b>Transfers In</b>	106,920	65,712	280,647	23%
<b>Transfers Out</b>	2,650,000	2,000,000	4,500,000	44%
<b>Change in Fund Balance</b>	<b>4,697,864</b>	<b>2,709,276</b>	<b>(3,570,000)</b>	
<b>Fund Balance Statement</b>				
Change in Fund Balance	4,697,864	2,709,276	(3,570,000)	
Fund Balance- Beginning of Year	28,163,941	28,672,553	28,672,553	
<b>Ending Fund Balance</b>	<b>32,861,805</b>	<b>31,381,829</b>	<b>25,102,553</b>	

**Support Services**  
**April, 2026**

<b>Revenues</b>	<b>Prior YTD Actuals</b>	<b>Year To date Actuals</b>	<b>Current Year Budget</b>	<b>% of Budget</b>
Administration Millage	22,480,817	24,083,992	22,403,831	107%
Administration- Other	1,278,068	1,235,910	1,526,627	81%
<b>Total Revenue</b>	<b>23,758,885</b>	<b>25,319,902</b>	<b>23,930,458</b>	<b>106%</b>
<b>Expenses</b>				
Administration	1,500,877	1,542,027	1,672,950	92%
Executive	1,650,619	1,763,798	1,980,163	89%
Financial Services	805,743	830,049	1,051,673	79%
Human Resources	818,553	902,211	1,329,223	68%
Information Technology	1,660,152	2,524,981	2,763,327	91%
Marketing	1,127,425	1,124,481	1,504,694	75%
Park and Program Services	497,625	511,878	679,420	75%
Planning and Development	1,094,487	1,223,860	1,660,851	74%
Safety	410,515	417,741	575,277	73%
<b>Total Expenses</b>	<b>9,565,996</b>	<b>10,841,026</b>	<b>13,217,578</b>	<b>82%</b>
<b>Net Operating Income</b>	<b>14,192,889</b>	<b>14,478,876</b>	<b>10,712,880</b>	
<b>Transfers In</b>	106,920	65,712	280,647	23%
<b>Transfers Out</b>	2,650,000	2,000,000	4,500,000	44%
<b>Change in Fund Balance</b>	<b>11,649,809</b>	<b>12,544,588</b>	<b>6,493,527</b>	

**Park Services**  
**April, 2026**

<b>Revenues</b>	<b>Prior YTD Actuals</b>	<b>Year To date Actuals</b>	<b>Current Year Budget</b>	<b>% of Budget</b>
Administration	45,741	75,781	37,084	204%
Caw Caw Interpretive Center	38,023	56,548	73,398	77%
Cooper River Marina	841,086	905,847	1,179,315	77%
Folly Beach County Park	671,871	725,147	1,066,887	68%
Folly Beach Fishing Pier	1,308,559	1,328,421	1,862,624	71%
Isle of Palms County Park	808,962	858,303	1,361,557	63%
James Island County Park	6,303,953	6,469,086	8,253,161	78%
Johns Island County Park	154,913	164,331	268,974	61%
Kiawah Beachwalker Park	342,562	348,296	610,883	57%
Lake House at Bulow	151,064	170,450	183,667	93%
Laurel Hill Plantation	9,741	6,994	6,353	110%
McLeod Plantation	449,127	450,546	666,933	68%
Mount Pleasant Palmetto Islands County Park	480,505	482,101	818,621	59%
Mount Pleasant Pier	358,268	376,466	511,380	74%
North Charleston Wannamaker County Park	2,483,707	2,355,548	4,941,965	48%
Old Towne Creek County Park	0	(1,196)	51,600	-2%
SK8 Charleston	96,824	88,057	142,068	62%
Stono River Park	4,113	3,714	4,200	88%
West County Aquatics Center	13,396	17,434	31,593	55%
<b>Total Revenue</b>	<b>14,562,415</b>	<b>14,881,874</b>	<b>22,072,263</b>	<b>67%</b>
<b>Expenses</b>				
Administration	1,124,241	1,222,535	1,510,464	81%
Caw Caw Interpretive Center	539,950	465,638	616,922	75%
Cooper River Marina	538,516	620,369	713,400	87%
Folly Beach County Park	561,225	611,741	932,710	66%
Folly Beach Fishing Pier	1,115,843	1,130,150	1,561,603	72%
Isle of Palms County Park	728,315	857,338	1,228,772	70%
James Island County Park	5,013,650	5,564,535	6,854,293	81%
Johns Island County Park	469,019	645,909	856,089	75%
Kiawah Beachwalker Park	401,522	479,239	620,224	77%
Lake House at Bulow	110,915	104,732	155,106	68%
Laurel Hill Plantation	38,350	76,520	108,334	71%
McLeod Plantation	164,113	218,471	298,444	73%
Mount Pleasant Palmetto Islands County Park	1,008,273	1,079,462	1,630,737	66%
Mount Pleasant Pier	536,064	569,991	764,895	75%
North Charleston Wannamaker County Park	3,318,466	3,672,624	5,111,142	72%
Old Towne Creek County Park	102,540	245,845	387,554	63%
SK8 Charleston	348,981	346,898	472,724	73%
Stono River Park	47,083	22,097	23,285	95%
Undeveloped Properties & HQ Maintenance	2,222,802	2,980,002	3,610,789	83%
West County Aquatics Center	147,779	157,776	357,955	44%
<b>Total Expenses</b>	<b>18,537,647</b>	<b>21,071,872</b>	<b>27,815,442</b>	<b>76%</b>
<b>Change in Fund Balance</b>	<b>(3,975,232)</b>	<b>(6,189,998)</b>	<b>(5,743,179)</b>	

**Recreation Services**  
**April, 2026**

Revenue	Prior YTD Actuals	Year To date Actuals	Current Year Budget	% of Budget
Accessibility	3,478	2,905	5,475	53%
Community Recreation	49,917	46,834	117,100	40%
Interpretive	88,132	113,092	104,240	108%
Outdoor	554,344	570,869	906,890	63%
Special Events	336,369	296,460	453,724	65%
Runs, Races & Fitness	194,061	197,031	256,785	77%
<b>Total Revenue</b>	<b>1,226,301</b>	<b>1,227,191</b>	<b>1,844,214</b>	<b>67%</b>
<b>Expenses</b>				
Administration	600,989	815,243	843,702	97%
Accessibility	11,316	9,057	45,325	20%
Community Recreation	949,240	1,041,918	1,313,633	79%
Interpretive	657,619	759,512	907,669	84%
Outdoor	1,157,909	1,268,016	1,781,702	71%
Special Events	502,587	637,761	830,390	77%
Runs, Races & Fitness	323,354	340,998	442,141	77%
<b>Total Expenses</b>	<b>4,203,014</b>	<b>4,872,505</b>	<b>6,164,562</b>	<b>79%</b>
<b>Change in Fund Balance</b>	<b>(2,976,713)</b>	<b>(3,645,314)</b>	<b>(4,320,348)</b>	

**General Agency Balance Sheet**  
**April, 2026**

<b>Assets</b>	<b>Prior YTD Actuals</b>	<b>Year To date Actuals</b>
Cash & Cash Equivalents	35,460,049	33,826,823
Other Assets	1,069,094	1,179,714
<b>Total Assets</b>	<b>36,529,143</b>	<b>35,006,537</b>
<b>Liabilities</b>		
Accounts Payable	506,723	493,641
Other Liabilities	3,160,615	3,131,067
<b>Total Liabilities</b>	<b>3,667,338</b>	<b>3,624,708</b>
<b>Fund Balance</b>		
Assigned Fund Balance	1,250,000	1,250,000
Unassigned Fund Balance	31,611,805	30,131,829
<b>Total Fund Balance</b>	<b>32,861,805</b>	<b>31,381,829</b>
<b>Total Fund Balance and Liabilities</b>	<b>36,529,143</b>	<b>35,006,537</b>



## MEMORANDUM

**TO:** Kevin Bowie  
**FROM:** Phil Macchia  
**DATE:** June 3, 2026  
**RE:** General, Financial & Procurement Policy Review/Approval Request

Directors finished reviewing the agency's General, Financial & Procurement Policies and would like to recommend the attached changes for the Commission's consideration. The major policy changes or rewrites are highlighted in the appendix of changes to make it easier to find and locate.

Staff Recommendation:

**A motion to approve the recommended changes to the Commission's General, Financial & Procurement Policies as provided in the June 8, 2026 Commission Packet.**

# Commission Policy Review

## June 2026



## 2026 Commission Policy Review

<b>General Policies</b>	
<b>CHANGES</b>	<b>SECTION</b>
<i>Updated all grammatical and formatting issues to improve readability. Exchanged “[the] agency” and “[the] Agency” for CCPRC.</i>	Entire Document
<i>Removed Core Values.</i>	Core Values
<p><i>Renamed General Information Updates/Format to Policy/Procedure Implementation &amp; Review</i></p> <p><i>Changed from “The agency’s policies and procedures are stored on CCPRC intranet site. Policies will be updated as they are approved by the Commission. Standard operating procedures will be updated as they are approved by Senior Management. Policies and procedures are reviewed annually.” to “CCPRC’s policies and procedures are stored on CCPRC intranet site. Policies will be updated as they are approved by the Commission. Standard operating procedures will be updated as they are approved by Senior Management. Policies and procedures are reviewed annually.”</i></p> <p><i>Changed from “Process</i></p> <ol style="list-style-type: none"> <li><i>1. Proposal to add or change a policy or procedure is discussed with Division Director by initiating staff.</i></li> <li><i>2. Division Directors reviews the need for a proposed policy or procedure change or addition with Executive</i></li> <li><i>3. Management. Criteria for approval a proposal it must:</i> <ol style="list-style-type: none"> <li><i>a) not conflict with existing policy or procedure;</i></li> <li><i>b) have a documented need; and</i></li> <li><i>c) allow for review by appropriate parties.</i></li> </ol> </li> <li><i>4. Divisional Procedures:</i> <ol style="list-style-type: none"> <li><i>a) Division Director approves final wording.</i></li> <li><i>b) Reviewed by appropriate Executive Management.</i></li> <li><i>c) Division Director implements procedure by notifying all division staff.</i></li> </ol> </li> <li><i>5. Agency Procedure or Policy:</i> <ol style="list-style-type: none"> <li><i>a) Executive Management reviews proposed wording for policy or procedure change or addition with Executive Director (or Executive Management Designee).</i></li> <li><i>b) Executive Director (or Executive Management Designee) reviews proposed policy or procedure change or addition with all Directors during a Director’s meeting. Directors provide concerns to Executive Director (or Executive Management Designee) by the established deadline.</i></li> <li><i>c) Executive Director (or Executive Management Designee), and Staff Attorney (if applicable) modify, approve or disapprove final wording.</i></li> <li><i>d) Approved procedures are posted in the manual with explanations to all staff.</i></li> </ol> </li> </ol> <p><i>OR</i></p> <ol style="list-style-type: none"> <li><i>a) Approved proposed policy changes or additions go to Commission Committee, as appropriate, and then to Commission for final approval.</i></li> <li><i>b) Approved policy changes are posted in the manual with explanations to all staff.</i></li> </ol> <p><i>to “CCPRC Procedure or Policy (involving two or more divisions):</i></p> <ol style="list-style-type: none"> <li><i>1. Executive Management reviews proposed wording for policy or procedure change or addition with Executive Director (or Executive Management Designee).</i></li> <li><i>2. Executive Director (or Executive Management Designee) reviews proposed policy or</i></li> </ol>	GP01

<p><i>procedure change or addition with all Directors during a Director’s meeting. Directors provide concerns to Executive Director (or Executive Management Designee) by the established deadline.</i></p> <p><i>3. Executive Director (or Executive Management Designee), and Staff Attorney (if applicable) modify, review and finalize wording.</i></p> <p><i>4. Approved procedures are posted in the manual with explanations to all staff.</i></p> <p><i>OR</i></p> <p><i>a. Approved proposed policy changes or additions go to Commission.</i></p> <p><i>Approved policy changes are posted in the manual with explanations to all staff and may require staff’s signature of acknowledgement.</i></p>	
<p><i>Removed “Removal of natural resources from the parks is prohibited.” It’s duplicated in CCPRC’s Rules and Regulations.</i></p> <p><i>Changed from Division Director to Executive Director or designee as approver for of any equipment donation.</i></p>	GP 02
<p><i>Changed “CCPRC shall conduct an open space analysis and develop standards for identifying park land needs.” to “CCPRC shall utilize open space analysis data and comprehensive planning to identify standards for park land acquisitions.”</i></p> <p><i>Added “densities”.</i></p>	GP 04
<p><i>Added “and resilience” and “cemeteries,”.</i></p> <p><i>Removed “CCPRC shall employ industry best practices in cemetery management while providing meaningful opportunities for public input regarding the preservation, protection, and reasonable/safe access of burial sites on properties it owns and operates.”</i></p>	GP 05
<p><i>Changed from “CCPRC shall lead by example and promote the use of sound, cost-effective environmental practices found locally, regionally, and nationally. CCPRC shall serve as a resource and encourage the public to improve their sustainability. CCPRC shall serve as an example of sustainable environmental practices and shall increase environmental awareness through education of staff, residents, visitors, customers and vendors.</i></p> <p><i>CCPRC shall uphold exemplary standards and apply industry-recognized best management practices to ensure the effective administration and continual improvement of sustainability initiatives across planning, development, operations, and overall administration. These include but are not limited to:”</i></p> <p><i>to “CCPRC shall lead by example and promote the use of sound, cost-effective environmental practices found locally, regionally, and nationally. CCPRC shall serve as a resource and encourage the public to improve their sustainability. CCPRC shall serve as an example of sustainable environmental practices and shall increase environmental awareness through education of staff, residents, visitors, customers and vendors.</i></p> <p><i>CCPRC shall uphold exemplary standards and apply industry-recognized best management practices to ensure the effective administration and continual improvement of sustainability initiatives across planning, development, operations, and overall administration. These include but are not limited to:”.</i></p>	GP 06
<p><i>Added Enabling Legislation, CCPRC Bylaws, and 5-Year Strategic Plan.</i></p>	GP 07
<p><i>Removed “when there exist opportunities”.</i></p>	GP 09
<p><i>Removed “includes a locator” from the first paragraph.</i></p> <p><i>Added “includes site attributes (geographical/historical/cultural/natural).”</i></p>	GP 10

<p>Removed “After the geographical locator, includes a name that clearly identifies the type of facility, use, purpose, locality, and/or traditional name of the land where the facility is located” in the second paragraph.</p> <p>Moved the following in Section A “Prior to the opening of any new CCPRC facility, CCPRC staff is directed to present to the Commission option(s) for facility names that are compliant with this policy” to procedures.</p> <p>Removed “proposed” from Section A.</p> <p>Added “staff’s recommended”.</p>	
<p>Removed “Accidents and injuries to employees and patrons can have an adverse financial impact on CCPRC. Having an effective Safety Risk Management Policy can reduce those impacts and minimize loss in reduction of worker compensation claims, insurance rates, and exposure to litigation”.</p> <p>Added “An effective Safety Risk Management Policy can reduce worker compensation claims, insurance rates, and exposure to litigation”.</p> <p>Removed “Aside from the obvious physical and health damage, accidents can adversely affect employee productivity, increase maintenance expenses, raise insurance premiums and create customer dissatisfaction. Employees at every level are individually and collectively responsible for safety.”</p>	GP 11
<p>Removed “of enduring value” and “for the protection and interest to the public”.</p> <p>Added “follows”.</p>	GP 12
<p>Removed “Film or video news crews and technicians at news events.”</p> <p>Added “Members of the media who provide coverage of a CCPRC facility or program.”</p> <p>Removed “retailing” and added “public distribution”.</p>	GP 13
<p>Added policy.</p>	GP 16
<b>Financial Policies</b>	
<b>CHANGES</b>	<b>SECTION</b>
Updated all grammatical and formatting issues to improve readability.	Entire Document
Removed Core Values.	Core Values
Changed the asset capitalization threshold for Buildings and Building Improvements from more than \$50,000 to more than \$100,000.	FP 01
Changed from “aid in sheltering it from” to “minimize”.	FP 02
Removed “and followed by a management letter (if issued?)”.	FP 03
<p>Changed from “Financial Reserve Policies</p> <ol style="list-style-type: none"> <li>The Commission shall maintain an unassigned fund balance in, currently, the General Fund an amount equal to at least 3 to 6 months of the following year’s budgeted expenditures.</li> <li>The Commission shall maintain Debt service fund balance equal to total principal and interest payments that are due between July 1st and</li> </ol>	FP 06

<p><i>December 31st of the following fiscal year.”</i></p> <p>to <i>“Financial Reserve Policies</i></p> <p>1. <i>The Commission shall maintain an unassigned fund balance at June 30 in the General Fund in an amount between three to six months of the following year’s budgeted expenditures.</i></p> <p><i>The Commission shall maintain Debt service fund balance at June 30 at least the total principal and interest payments that are due between July 1 and December 31 of the following fiscal year.”</i></p>	
<b>Procurement Policies</b>	
<b>CHANGES</b>	<b>SECTION</b>
<p><i>Updated all grammatical and formatting issues to improve readability.</i></p>	<p>Entire Document</p>
<p><i>Removed Core Values.</i></p>	<p>Core Values</p>
<p><i>Removed “If attendance at the conference is mandatory, bids shall not be considered or opened from bidders who fail to attend the conference.”</i></p> <p><i>Added “If attendance at the conference is mandatory, no bids shall be opened or considered if a bidder fails to attend the conference. Electronic submission through the CCPRC’s website is the preferred method of submitting a response to solicitations. Mailed or hand-delivered bids must be submitted in a sealed envelope showing the solicitation number on the outside of the envelope and follow the instructions outlined by the Procurement Coordinator via the submittal procedural/instruction documents.”</i></p> <p><i>Added “Electronic submission through the CCPRC’s website is the preferred method of submitting a response to solicitations. Mailed or hand-delivered bids must be submitted in a sealed envelope showing the solicitation number on the outside of the envelope and follow the instructions outlined by the Procurement Coordinator via the submittal procedural/instruction documents.”</i></p>	<p>Article 3: Competitive Sealed Bidding &amp; Bid Opening or RFP/RFQ Closing</p>
<p>Removed 50,000-99,000 category. Changed from Contract Amounts and CCPRC Staff Approval Authority from \$200,000 or greater 12% of contract, \$150,000 to \$199,999 14% of contract, \$100,000 to \$149,999 16% of contract, \$ 50,000 to \$ 99,999 18% of contract to \$300,000 or greater 14% of contract, \$150,000 to \$299,999 16% of contract, \$50,00 to \$149,999 18% of contract.</p> <p>Removed “* This change order level requires Executive Director or designee approval.” Removed “The sum of all change orders to a given project shall not exceed the above limits without prior Commission approval.” Added “Notwithstanding the staff approval percentages listed above, for contracts with an original value of less than \$50,000 the Executive Director or designee may approve change order so long as the cumulative total of all change orders for that contract does not exceed \$50,000; any change order that would cause the cumulative total to exceed \$50,000 shall require Commission approval.”</p>	<p>Article 4: Authority to Negotiate and Enter into, Approve Expenditures, and Issue Change Orders</p>

<p>Removed duplicate paragraph “If a construction project that is a continuation or an additional phase of a development and in which the architect, engineer or land surveying of previous construction of that development was selected by one of the above processes, CCPRC has the right to continue using the services of the same architecture, engineering or land surveying firm without going through one of the above selection processes.”</p>	<p>Article 5: Selection Process for Architect- Engineer and Land Surveying Services</p>
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# General Policies

## **Policy/Procedure Implementation & Review (GP 01)**

CCPRC's policies and procedures are stored on CCPRC intranet site. Policies will be updated as they are approved by the Commission. Standard operating procedures will be updated as they are approved by Senior Management. Policies and procedures are reviewed annually.

### **Definitions**

#### **CCPRC Policy**

- Addresses what and/or why
- Provides principles and guidelines to direct and limit actions in pursuit of long-term goals
- Requires Commission approval, or is mandated by federal, state, or local statutes
- Includes long-range plans (i.e. Comprehensive Plan, CCPRC Strategic Plan, Site Master Plans, and long-range Capital Improvement Plans (CIP).)

#### **Procedure (Standard Operating)**

- Addresses how, when, where, or who
- Explains step by step sequence of activities or course of action that must be followed in the same order to perform a task
- Provides application, prone to change
- Includes operational plans

#### **CCPRC Procedure or Policy (involving two or more divisions):**

1. Executive Management reviews proposed wording for policy or procedure change or addition with Executive Director (or Executive Management Designee).
  2. Executive Director (or Executive Management Designee) reviews proposed policy or procedure change or addition with all Directors during a Director's meeting. Directors provide concerns to Executive Director (or Executive Management Designee) by the established deadline.
  3. Executive Director (or Executive Management Designee), and Staff Attorney (if applicable) modify, review and finalize wording.
  4. Approved procedures are posted in the manual with explanations to all staff.
- OR**
- a) Approved proposed policy changes or additions go to Commission.
  - b) Approved policy changes are posted in the manual with explanations to all staff and may require staff's signature of acknowledgement.

*(Policy Updated **Date TBD**, Regular Commission Meeting Motion #??-2526)*

## **Acceptance of Gifts and Donations (GP 02)**

It is the policy of the Commission, under CCPRC's Enabling Legislation, to accept gifts and donations in the following manner:

### **Donations of Plants and Wildlife**

Donations of plants and/or wildlife must follow CCPRC's Stewardship Policy.

### **Donations of Equipment/Land**

Authorized donations of equipment may be recorded as a charitable deduction for the donor. **Executive Director's or their designee's** approval is required before the acceptance of any

equipment donation. Factors involved in the consideration of a donation may include insurance, storage, inventory, environmental impact, maintenance, compatibility, condition, and liability. Refer to the CCPRC’s Capitalization Policy and Procedures to determine how the donation needs to be recorded. Report the receipt of a donation to the Executive Director or designee for acknowledgment. As appropriate, donors will be acknowledged with signage and recognition at events.

Gifts, donations, and bequests shall be evaluated for their benefit to the Commission. Those totaling less than \$7,500 will be accepted only by approval of the Executive Director and more than \$7,500 will be accepted only by approval of the Commission.

Land donations will be evaluated by staff and will only be accepted by approval of the Commission.

*(Policy Updated **Date TBD**, Regular Commission Meeting Motion **##?-2526**)*

### **Acquisition of Park and Recreation Lands Policy (GP 04)**

It is the policy of the Commission to acquire lands for park and recreation use, pursuant to Enabling Legislation and Commission Bylaws.

#### **References:**

- Enabling Legislation: Section V: To acquire, by gift or purchase, lands or interest thereon whereupon to;
- CCPRC Bylaws: Article IV Section 2: To acquire, by gift or purchase, lands or interest thereon, to operate parks, to acquire any equipment useful in the operation of its facilities; to prescribe rules and regulations governing the use of its facilities; and to fix rates and charges for the use of its facilities.

#### **A. CCPRC shall utilize open space analysis data and comprehensive planning to identify standards for park land acquisitions.**

1. Standards shall consider, at a minimum, population **densities** and existing park facility locations.
2. The standards shall be updated periodically in conjunction with comprehensive planning efforts.

#### **B. CCPRC shall have criteria for land acquisition.**

1. The uniqueness and value of the natural and cultural resources shall be factors that are considered.
2. The property must be evaluated to determine that it is suitable for the intended use.
3. Park land can be acquired through a combination of donation, dedication, or acquisition of fee simple property or conservation easements.

#### **C. CCPRC shall have criteria for acceptance of gifts of real property.**

1. Land proposed for donation is subject to the same standards as land considered for acquisition by other methods.
2. The site must be suitable for development, management, and the intended use.

*(Policy Updated **Date TBD**, Regular Commission Meeting Motion **##?-2526**)*

### **Natural and Cultural Resource Management and Environmental Stewardship Policy (GP 05)**

The Charleston County Park & Recreation Commission (CCPRC) recognizes the importance of healthy, stewarded parks for providing valuable natural services and contributing to a high

quality of life.

CCPRC shall protect, preserve, monitor, plan and manage the natural environment of current and future park lands.

CCPRC shall maintain a high standard of environmental quality and stewardship to ensure preservation **and resilience** of significant and sensitive natural areas to provide for current and future needs while minimizing adverse human impacts.

CCPRC recognizes that cultural resources are non-renewable and a valued legacy of our community. CCPRC shall use best management practices for the acquisition, protection, and interpretation of cultural resources including but not limited to: structures, places, **cemeteries**, objects and relics.

CCPRC shall be proactive and work to continuously improve and increase effective stewardship efforts throughout its operations and facilities.

CCPRC shall incorporate community awareness, participation, interpretation, and education to foster a culture of environmental stewardship in staff, residents, and visitors.

*(Policy Updated Date TBD, Regular Commission Meeting Motion #??-2526)*

### **Environmental Sustainability Policy (GP 06)**

The Charleston County Park & Recreation Commission (CCPRC) recognizes the need for sustainability in its operations and facilities in order to continually provide high quality services to current and future visitors while maintaining fiscal responsibility.

CCPRC shall lead by example and promote the use of sound, cost-effective environmental practices found locally, regionally, and nationally. CCPRC shall serve as a resource and encourage the public to improve their sustainability. CCPRC shall serve as an example of sustainable environmental practices and shall increase environmental awareness through education of staff, residents, visitors, customers and vendors.

CCPRC shall uphold exemplary standards and apply industry-recognized best management practices to ensure the effective administration and continual improvement of sustainability initiatives across planning, development, operations, and overall administration. These include but are not limited to: conserving water, conserving energy, preserving land and water resources, reducing emissions and lowering its carbon footprint, improving fleet vehicle and heavy equipment efficiency, purchasing environmentally-friendly products and services, minimizing waste, and minimizing chemical and pesticide use.

CCPRC shall incorporate environmentally responsible elements in design, construction, operation, retrofitting, and administrative processes where appropriate and cost effective. CCPRC shall utilize available technologies, products and programs (LEED certification, Energy Star rating, etc.) to meet sustainability goals.

*(Policy Updated Date TBD, Regular Commission Meeting Motion #??-2526)*

### **Development of Areas and Facilities Policies (GP 07)**

The Comprehensive Plan is adopted by the Commission to serve as a ten-year guide for:

1. New Park Master Plan Priorities and Recommendations
2. Existing and Future Park Facility Expansion and Improvement Priorities and Recommendations

3. Trails Master Plan Update
4. Open Space Acquisition Priorities and Recommendations
5. Budgeting and Funding Priorities and Recommendations

The plan includes capital improvements recommendations for a ten-year period (see references below).

The Capital Improvement Committee will meet as necessary to objectively prioritize and evaluate new projects against previously identified projects or needs. This process helps compare costs, benefits and merits of individual projects in order to make the best use of available funding resources. Projects receiving the highest priority after Committee review and Executive Director approval will be included in the five-year CIP Plan and Budget for review by the Commission.

References:

- Enabling Legislation
- CCPRC Bylaws
- 10-Year Comprehensive Plan
- 5-Year Strategic Plan
- CIP 5-year Budget

*(Policy Updated Date TBD, Regular Commission Meeting Motion #??-2526)*

### **CCPRC Owned Equipment and Property Policy (GP 09)**

It is the policy of the Commission that equipment pools are established for CCPRC to operate more effectively and efficiently, and procedures shall be developed to ensure proper training, use and care of the various equipment pools. Purchases must be requested through the budget process.

*(Policy Updated Date TBD, Regular Commission Meeting Motion #??-2526)*

### **CCPRC Naming Policy (GP 10)**

All CCPRC facilities shall be identified by an official name that includes site attributes (geographical/historical/cultural/natural).

In rare and extraordinary instances, Section A (2) may be suspended to name a facility in honor of a distinguished deceased individual who valuably and/or meritoriously contributed to the acquisition, development and/or improvement of the facility proposed to be named in their honor.

- A. The Commission may choose among the staff's recommended names or adopt another compliant name. Any act to name or rename a facility must be approved by the Commission.
- B. Facility component parts shall be exempt from this policy, except as follows:
  1. Facility component parts shall be identified by a name that clearly identifies the type of component part, use, purpose, locality, and/or traditional name of the land where the component part is located.
  2. At its discretion, the Commission may act to name or re-name any facility component, subject to the affirmative vote of the Commission.

## **Safety Risk Management Policy (GP 11)**

The Charleston County Park and Recreation (CCPRC) is firmly committed to providing its employees with a safe and healthy work environment and to ensure that no one is exposed to unnecessary hazards which could cause injury or death.

In addition to employee safety, the commission recognizes that we are here to serve the public and in doing so will provide our customers, visitors and everyone who uses our facilities with a safe and hazard free environment.

An effective Safety Risk Management Policy can reduce worker compensation claims, insurance rates, and exposure to litigation.

The intent of this policy will be maintained by the implementation of an effective Safety Program to eliminate or reduce the causes of injuries and losses. The Safety Program will address six basic points:

1. Employee Education and Training – to develop competent and safety conscious employees.
2. Self-Inspection – to identify and eliminate hazards.
3. Accident Investigation – to learn what causes accidents and how to prevent them in the future.
4. Recordkeeping – to preserve accident data for use in accident investigation efforts.
5. Risk Identification and Control – to identify and eliminate/reduce hazards through effective control measures.
6. Counseling and Disciplinary Action – to correct poor practices and unsafe work habits.

(Policy Updated Date TBD, Regular Commission Meeting Motion #??-2526)

## **Records Management Policy (GP 12)**

The Commission complies with the South Carolina State Code of Law Title 30-Public Records and follows the South Carolina Department of Archives and History's guidance relating to the creation, utilization, maintenance, retention, preservation, and disposal of public records. Public records are generally considered original and official records that are essential to the operation of CCPRC and have legal/regulatory, fiscal, historical and/or operational/administrative purposes. The Executive Director is the legal custodian of these records and is responsible for ensuring all employees carry out the duties and responsibilities of record management and may appoint a records officer to act on their behalf. These duties and responsibilities involve the establishment, development and execution of efficient and cost-effective approaches to public records management according to standards, processes, techniques and schedules specified in the Records Management Procedures.

(Policy Updated Date TBD, Regular Commission Meeting Motion #??-2526)

## **Filming, Photographing, and/or Sound Recording Policy (GP 13)**

Charleston County Park and Recreation Commission supports the use of facilities by

commercial and non-commercial companies for purpose of filming, photographing, and/or sound recording. Generally, filming, photographing, and/or recording permits are not required for the following:

- Visitors using cameras and/or recording devices for their own personal use.
- Members of the media who provide coverage of a CCPRC facility or program.
- Film or video news crews and technicians at news events.
- Filming, photographing, and/or recording managed by the Commission, its agents or contractors.

### **Filming, Photographing, and/or Recording Permit Application Requirements**

If the filming, photographing, and/or recording would involve any of the following conditions, a permit application must be submitted along with proof of liability insurance:

- (1) use of a prop, model or set;
- (2) interference with normal patron activities;
- (3) use when the facility is closed;
- (4) use of any area closed to visitors
- (5) if the material captured will be used for profit, advertising, or public distribution;
- (6) alteration of facilities or environmental resources; and/or
- (7) exclusive use of a defined area.

The Executive Director or their designee shall have the authority to review, grant permission, and enforce the conditions of the filming, photographing, and/or recording permit.

### **Fees and Charges**

The Commission may assess the following fees and charges in connection with filming, photographing, and/or recording permit approval:

- direct costs;
- patron impact costs;
- restoration and clean-up costs;
- location fees;
- security costs (if applicable); and
- refundable security deposits (if applicable) to cover damages, restoration or clean-up costs, etc.

### **Denial of Filming, Photographing, and/or Recording Permit Application**

A filming, photographing, and/or recording permit application may be denied if:

- In the opinion of the Commission, the filming activity requested is not compatible with the overall mission & values, environmental, recreational, or historic character of the facility or area requested or may create health or safety risks;
- The proposed filming, photographing, and/or recording will place unreasonable burdens on Commission staff, regardless of the applicant's willingness to pay assessed cost recovery;
- The proposed filming, photographing, and/or recording would unreasonably conflict with normal access to and use and enjoyment of the facility by facility patrons; or
- The applicant fails to obtain the applicable insurance/bonding, to pay the applicable required deposit(s), or fails to satisfy a material condition of the proposed filming, photographing, and/or recording permit.

*(Policy Updated **Date TBD**, Regular Commission Meeting Motion #??-2526)*

## **Retaining and Monitoring Outside Legal Counsel (GP 15)**

Prior to retention, all outside counsel should be first recommended for retention by the in-house counsel for the Commission and vetted by the in-house counsel and the Executive Director for the Commission.

Once vetted and recommended by the in-house counsel and Executive Director for the Commission, the selection should then be brought before the Commission for approval at a scheduled Commission meeting.

Once retained, the outside counsel shall report directly and regularly to the in-house counsel and Executive Director on the status of any litigated matter to include an initial report after 90 days of filing the lawsuit. The in-house counsel shall then report on the status to the Commission as the case or legal matter progresses.

When a case is on the trial roster or when a case is pending for trial, the Commission shall be updated regularly on the status of the litigation, including offers of settlement, any pending motions which counsel deems significant, and potential exposure and liability as soon as those issues become clear.

In the judgment of the in-house counsel or the Executive Director, the outside counsel should be called upon to report directly to the Commission any matters of importance as the case is pending for trial. In the six months prior to the trial of any case, outside counsel shall issue a written report or status update to the Commission which shall be included in the Commissioner's monthly packet (to the extent attorney/client privilege can be maintained). Outside counsel shall also be made available to report to the Commission in executive session to the extent commissioners have any questions or concerns regarding the report.

*(Policy Approved February 24, 2020, Regular Commission Meeting Motion #043-1920)*

## **Financial Assistance Funding Policy (GP 16)**

The Commission, when appropriate, will provide financial assistance in the form of scholarships and other means for the purpose of gaining access to CCPRC's parks, programs, and services. The Executive Director or designee works with the Foundation Board and CCPRC staff to provide direction and procedures to enable the public to request assistance.

*(Policy Updated **Date TBD**, Regular Commission Meeting Motion #??-2526)*

# Financial Policies

## Capitalization Policy (FP 01)

### General Information

Capital assets are major assets that benefit more than a single fiscal period. Typical examples are land, improvements to land, buildings, vehicles, machinery, equipment, and infrastructure. Capital assets are reported at their actual or estimated historical cost.

The capitalization threshold for various asset categories will be as stated in the following table:

Asset Category	Items to be Capitalized
Land	All, regardless of cost
Land Improvements	All, regardless of cost
Buildings and Building Improvements	Any costing more than \$100,000
Machinery, Equipment & Vehicles	Any costing more than \$35,000
Infrastructure	Any costing more than \$50,000

### Responsibilities

The Finance Division will:

- maintain a listing of all capital assets owned by the Commission;
- conduct random inventory checks on capital assets; and
- track all capital purchases and disposals.

*(Policy Updated **Date TBD**, Regular Commission Meeting Motion #??-2526)*

## Revenue Policy (FP 02)

### General Information

The Commission creates value for the public by providing park and recreation services for Charleston County residents. A stable revenue stream is essential for two reasons:

1. Sufficient and stable revenues are needed to consistently produce programs and services.
2. The value created is not just a function of the services residents receive, it is also what and how they pay for those services.

Revenue streams that are fair and consistent will be more acceptable to the public than those which are not. The Executive Director or designee will be responsible for developing written procedures.

### Revenue Policies

1. The Commission will strive to maintain a diversified and stable revenue system to minimize the impact of short-term fluctuations in any one revenue source. Revenues will be evaluated to determine short-term and long-term stability.
2. A policy of collecting revenues owed to the Commission will be followed.
3. The Commission should pursue relevant grant opportunities. All potential grants will be carefully evaluated for:
  - a. consistency with the Commission's mission and vision;
  - b. matching requirements; and
  - c. the impact on services due to termination or reductions in grant funding.
4. The Commission will not solicit donations of any kind from current or prospective vendors

except for activities that are approved by the Executive Director. Sponsorship of Commission programs/events, leased displays at events, charitable contributions to the Foundation, and professional reciprocal agreements (trades) are excluded. The Commission may choose to limit participation within business sectors based on the best interest of the Commission.

*(Policy Updated **Date TBD**, Regular Commission Meeting Motion #??-2526)*

## **Accounting and Financial Reporting (FP 03)**

### **General Information**

A written accounting and financial reporting policy is important for the following reasons:

- To make sure the Commission has access to the information it needs in order to make timely and accurate decisions; and
- To let the Finance staff know what information is expected of them and when it is expected to be delivered.

Accounting and financial reporting is not an internal finance function alone. Any accounting and reporting policy should address the annual audit, internal audit function and management reports to aid in decision making.

The Executive Director or designee will be responsible for developing written procedures.

### **Accounting and Financial Reporting Policies**

1. The Commission's accounting system shall be maintained in such a way so to conform to Generally Accepted Accounting Principles established by the Governmental Accounting Standards Board with the objective of obtaining an unqualified opinion from the Commission's independent auditor.
2. An annual audit will be performed by an independent certified public accounting firm and official annual financial report.
3. Budget to actual reports will be prepared and provided to the Commission for regularly scheduled Commission meetings for major funds.
4. The Commission will prepare all financial reports as required by any federal, state, or local government.

*(Policy Updated **Date TBD**, Regular Commission Meeting Motion #??-2526)*

## **Fund Balance Policy (FP 06)**

### **General Information**

Adequate reserves are the cornerstone of financial flexibility. They are necessary for any government to help meet its fiscal responsibility. Advantages of adequate reserves include the ability to:

- Weather sudden decreases in revenue due to natural disasters such as hurricanes;
  - Maintain good standing with bond rating agencies; and
  - Avoid interest expense by funding capital projects with reserves instead of debt
- The Executive Director or designee will be responsible for developing written procedures.

### **Terminology**

1. **Non-spendable fund balance** - is inherently non-spendable, such as the principal of an endowment or inventories.
2. **Restricted fund balance** - has externally enforceable limitations on use of fund balance

imposed by creditors, grantors or laws and regulations of other governments.

3. **Committed fund balance** - fund balance in which limitations are imposed by the Commission via board resolution.
4. **Assigned fund balance** - fund balance consisting of amounts that are earmarked for an intended use. These decisions may be made by the Executive Director or designee.
5. **Unassigned fund balance** - is the least constrained by purpose and is the remaining balance after considering all the aforementioned categories.

The last three categories of committed, assigned and unassigned fund balance together make up what is called “unrestricted fund balance”. All amounts referenced in this policy apply to balances at June 30 unless otherwise noted.

### **Financial Reserve Policies**

3. The Commission shall maintain an unassigned fund balance **at June 30 in the General Fund in an amount between three to six** months of the following year’s budgeted expenditures.
4. The Commission shall maintain Debt service fund balance **at June 30 at least the** total principal and interest payments that are due between July 1 and December 31 of the following fiscal year.
5. If any fund does not meet the minimum level, a plan of action will be adopted by the Commission to restore fund balance to the minimum level.
6. External auditors will report to the Commission regarding compliance with the Fund Balance policy shall be made no later than the December Commission meeting for the preceding fiscal year ending June 30.

*(Policy Updated **Date TBD**, Regular Commission Meeting Motion #??-2526)*

## **Procurement Policies**

### **Article 3 - Source Selection and Contract Formation**

#### **Method of Source Selection**

Unless otherwise required by law, all Commission contracts or purchases utilizing public funds shall be awarded by an appropriate procurement process, pursuant to the following sections of these policies:

#### **Competitive Sealed Bidding**

- a. **Condition for Use:** Except as authorized in sub-articles [Negotiated Procurement: Competitive Sealed Requests for Proposals](#) through [Utilization of State Purchasing Contracts](#), herein, contracts of \$50,000 or greater shall be awarded by competitive sealed bidding.
- b. **Invitation for Bids:** An Invitation for Bids (IFB) shall be issued, and shall include a purchase description and pertinent contractual items and conditions applicable to the procurement.
- c. **Public Notices:** Public notice on the IFB shall be given not less than ten calendar days prior to the date set forth therein for the opening of bids. Such public notice may include public publication in a newspaper of general circulation, website,

trade publications, South Carolina Business Journal. If a product or service is offered by only a limited number of sources, direct notification to these sources is acceptable.

- d. **Bid Opening:** Bids shall be opened publicly in the presence of one or more witnesses at the time and place designated in the IFB. The amount of each bid, and such other relevant information as may be specified by regulation, together with the name of each bidder, shall be recorded; the record and each bid shall be open to public inspection after award. The Executive Director or designee may require mandatory attendance at pre-bid conferences as a condition precedent to bidding. **If attendance at the conference is mandatory, no bids shall be opened or considered if a bidder fails to attend the conference.**

**Electronic submission through the CCPRC's website is the preferred method of submitting a response to solicitations. Mailed or hand-delivered bids must be submitted in a sealed envelope showing the solicitation number on the outside of the envelope and follow the instructions outlined by the Procurement Coordinator via the submittal procedural/instruction documents.**

- e. **Bid Submission and Bid Evaluation:** All responsive bids shall be considered for award without alteration or correction, except as authorized in these policies. Bids shall be evaluated based on CCPRC's requirements, which may include criteria to determine acceptability such as inspection, testing, quality of workmanship, delivery, and suitability for a particular purpose. Other objective criteria than those included in the IFB may be utilized, and CCPRC specifically reserves this right to use criteria, other than cost, in addition to those outlined in the IFB. CCPRC reserves the right to base its awards on criteria other than cost, and may accept bids in such instances when it is deemed most advantageous to CCPRC. If a bid that is not the lowest dollar cost is accepted, the reasons for acceptance must be fully documented and approved by the Executive Director or designee, using the current approval authority.
- f. **Correction or Withdrawal of Bids:** Withdrawal of inadvertently erroneous bids before award may be permitted if there is reasonable evidence of a clerical or mathematical error. After bid opening, no changes in bid prices, or other provisions of bids prejudicial to the interest of CCPRC or fair competition, shall be permitted. Correction of bid may be permitted where there is clear and convincing evidence of both:
- 1) a mathematical or clerical error which is apparent from the four corners of the bid; and
  - 2) clear and convincing evidence of the intended bid in the sole opinion and at the discretion of CCPRC. Except as otherwise provided, all decisions to permit the correction or withdrawal of bids, or to cancel awards or contracts based on bid mistakes, shall be supported by written documentation.

CCPRC has the authority to reject any or all bids or may request a rebid. Bids shall

remain valid and in effect for 60 days from the date of bid opening.

- g. **Award:** The contract may be awarded by CCPRC within 60 days by written notice to the lowest, responsible, and responsive bidder whose bid meets the requirements outlined in the IFB, as determined by CCPRC. In the event the recommended bid award exceeds available funds as certified by CCPRC Staff, the Executive Director or designee is authorized, in situations where time or economic considerations preclude re-solicitation of work of a reduced scope, to negotiate an adjustment in the bid price, including changes in the bid requirements, with the low responsive and responsible bidder, in order to bring the bid within the amount of available funds. In the event an agreement cannot be reached with the low bidder, the Executive Director or designee is authorized to negotiate with each successive low bidder in order to bring the bid within the amount of available funds. Additional criteria as defined in Bid Acceptance and Bid Evaluation, may be utilized.

### **Negotiated Procurement: Competitive Sealed Requests for Proposals**

- a. **Conditions for Use:** For contracts of purchases of \$50,000 or more, the Executive Director or designee may determine that the use of competitive sealed bidding is either not practicable or not advantageous (such as procurement of professional services or when price is not deemed the most appropriate basis for award) to CCPRC, a contract or purchase may be awarded by competitive sealed proposals for procurement.
- b. **Request for Proposals:** Proposals shall be solicited through a Request for Proposals (RFP).
- c. **Request for Qualifications:** Prior to receiving requests for proposals, the Procurement Officer may solicit requests for qualifications of firms interested in submitting proposals. The Procurement Officer may limit competition to three prospective contractors who are deemed qualified to perform work of the character required in the request for proposals; however, the Procurement Officer should insure full and open cooperation among those firms who are qualified.
- d. **Public Notice:** Public notice of the RFP and/or requests for qualification shall be given in the same manner as provided in the [Competitive Sealed Bidding, Public Notice](#).
- e. **Proposal Opening:** Proposals shall be evaluated and scored by staff as to whether Commission requirements have been met. Staff may determine that only a limited number of proposals fall within the competitive range and limit further negotiations with such contractors in accordance with subsection (f) below. Proposals shall be available for public inspection after the contract award; however, proprietary or confidential information marked as such in each proposal shall not be disclosed without prior written consent of the offeror.
- f. **Discussion with Responsible Offerors & Revisions to Proposals:** At the discretion of the evaluation staff, discussion may be conducted with qualified offerors who submit proposals and who fall within the competitive range for the

purpose of clarification to assure full understanding of, and responsiveness to, the solicitation requirements. Offerors shall be accorded fair and equal treatment with respect to any opportunity for discussion and revision of proposals, and such revisions may be permitted after submissions and prior to award for the purpose of obtaining best and final offers. In conducting discussions there shall be no disclosure of any confidential information derived from proposals submitted by competing offerors or of any competitor's fee structure. Vendors shall stipulate in writing those parts of their proposals deemed to be confidential. After discussion and interviews staff may solicit best and final offers from offerors, and conduct final evaluation.

- g. **Award:** The contract shall be awarded to the responsible offeror whose proposal is determined in writing to be most advantageous to CCPRC, taking into consideration the requirements outlined in the RFP. The recommendation shall contain the basis on which the award is made. Other objective criteria than those included in the RFP may be utilized, and CCPRC specifically reserves this right to use criteria in addition to those outlined.

### **Competitive Best Value Bidding or Negotiating**

- a. **Conditions for Use:** When staff determine that the use of competitive sealed bidding or negotiating is either not practicable or not advantageous to CCPRC, a contract may be entered into by competitive best value bidding or negotiating subject to the provisions of [Competitive Sealed Bidding](#) and the ensuing regulations, unless otherwise provided for in this section.
- b. **Best Value Bidding or Negotiating:** The purpose of best value bidding or negotiating is to allow factors other than price to be considered in the determination of award for specific goods and/or services based on pre-determined criteria identified by staff.
- c. **Public Notice:** Adequate public notice of the request for the solicitation shall be given in the same manner as provided in [Public Notices](#).

**Bid Opening or RFP/RFQ Closing:** Electronic submission through the CCPRC's website is the preferred method of submitting a response to solicitations. Mailed or hand-delivered bids must be submitted in a sealed envelope showing the solicitation number on the outside of the envelope and follow the instructions outlined by the Procurement Coordinator via the submittal procedural/instruction documents. At bid opening or closing, the only information that will be released is the names of the participating bidders or offerors. Cost information will be provided after the ranking of bidders or offerors and the issuance of award.

- d. **Evaluation Factors:** The best value bid or offer shall state the factors to be used in determination of award. Cost must be a factor in determination of award. Best value bid or offer evaluation factors may be defined to include, but are not limited to, any of the following as determined by the agency in its sole discretion and not subject to protest:

- 1) operational costs that the CCPRC would incur if the bid or offer is accepted;
- 2) quality of the product or service, or its technical competency;
- 3) reliability of delivery and implementation schedules;
- 4) maximum facilitation of data exchange and systems integration;
- 5) warranties, guarantees, and return policy;
- 6) vendor financial stability;
- 7) consistency of the proposed solution with the CCPRC's planning documents and announced strategic program direction;
- 8) quality and effectiveness of business solution and approach;
- 9) industry and program experience;
- 10) past performance;
- 11) vendor expertise with engagement of similar scope and complexity;
- 12) extent and quality of the proposed participation and acceptance by all user groups;
- 13) proven development methodologies and tools;
- 14) innovative use of current technologies and quality results; and
- 15) corporate experience.

### **Small Purchases: Requests for Quotations**

- a. Purchase of goods or service between \$10,000 - \$50,000 where the estimated base cost of an individual item or service for budgeted items less than \$50,000 but more than \$10,000 may be made through small purchase procurements and be supported by three written or documented quotations from qualified sources with the approval of the Executive Director or designee. Formal advertising of such procurements shall not be required; however, the Finance Division must receive at least three written or documented prices from three qualified sources. Requests for prices from such suppliers of goods or services shall be made on a random, rotational basis so as to afford maximum competition among prospective contractors. Upon receipt of three documented or written quotations, the award may be made to the lowest offeror using CCPRC's internal purchase order and/or standard short form contract for supplies, services or construction, if applicable.
- b. Purchase of goods or services under \$10,000. Staff may contract with vendors of services or goods on a random, rotational sole source basis judged to be in the best interest of the agency. Purchases shall be documented using CCPRC's standard internal purchase order and/or short form contract.

### **Sole Source Procurement**

A contract or purchase may be made for supplies and services, or construction item without competition when the Executive Director or designee determines in writing that there is only one practical source for the required supply, service, or construction item and provisions of the Authorization of Purchases are met.

### **Emergency Procurement**

Notwithstanding any other provisions of these policies, the Executive Director or designee may make, or authorize others to make, an emergency procurement when there exists a threat to public health, welfare, or safety under emergency conditions, significant waste of resources, or where normal daily operations are affected; provided that such emergency procurements shall be made with such competition, and such public notice, as is

practicable under the circumstances. If an emergency procurement is in the amount of \$50,000 or more, the Commission shall be informed of said procurement at the next Commission meeting.

### **Architect-Engineers and Land Surveying Services.**

See [Selection Process for Architect-Engineer and Land Surveying Services](#).

### **Utilization of State & Local Purchasing Contracts**

Items available through state and local purchasing agreements need not be acquired by the competitive bidding process as defined in the Procurement Policies. State and local contracts will be utilized when available and appropriate.

### **Cancellation of Invitation for Bids (IFB), Request for Proposals (RFP), or Request for Quotations (RFQ)**

An IFB, RFP, or RFQ, or other solicitation may be cancelled, or any or all bids or proposals may be rejected in whole or in part, when it is in the best interest of CCPRC. The reason for cancellation shall be made part of CCPRC records.

### **Responsibility of Bidders and Offerors**

Determination of Responsibility. After receipt of bids or proposals, staff shall conduct a pre-award survey to evaluate the responsibility of a prospective contractor in accordance with this section.

- a. **Commission Standards of Responsibility:** Factors to be considered in determining whether the standards of responsibility have been met include whether a prospective contractor has:
  1. the appropriate financial, material, equipment, facility, personnel resources, and expertise, or ability to obtain them;
  2. a satisfactory record of performance and integrity;
  3. qualified legally to contract with CCPRC; and
  4. supplied all necessary information in connection with the inquiry concerning responsibility.
- b. **Duty of Contractor to Supply Information:** The prospective contractor shall supply information requested by the Executive Director or designee concerning the responsibility of such contractor. If such contractor fails to supply the requested information, the Executive Director or designee shall base the determination of responsibility upon any available information or may find the prospective contractor non-responsible if such failure is unreasonable.
- c. **Demonstration of Responsibility:** The prospective contractor may demonstrate the availability of necessary financing, equipment, facilities, expertise, and personnel by submitting upon request:
  1. evidence that such contractor possesses such necessary items;
  2. an acceptable plan to subcontract for such necessary items; or
  3. a documented commitment form, or explicit arrangement with, a satisfactory source to provide the necessary items.
- d. **Justification for Contract Award:** Before awarding a contract, the Executive Director or designee must be satisfied that the prospective contractor is responsible.

- e. **Written Determination of Non-Responsibility:** If a bidder or offeror who otherwise would have been awarded a contract is found non-responsible, a written determination of non-responsibility setting forth the basis of the finding shall be prepared by the Executive Director or designee. The final determination shall be made a part of the procurement file.

A written determination of non-responsibility of a bidder, or offeror, may be made after a diligent pre-award survey. Failure to timely or properly complete other public or private contracts or provisions Commission contracts may consider grounds for a finding of non-responsibility. The failure of a bidder, or offeror, to promptly supply information in connection with an inquiry as to responsibility may be grounds for a determination of non-responsibility.

### **Pre-Qualifications of Suppliers, or Contractors**

Prospective suppliers or contractors may be pre-qualified for particular types of supplies, services, and construction. If the Executive Director or designee deems it necessary all interested suppliers or contractors shall be afforded a reasonable opportunity to pre-qualify so as to maximize competition.

Pre-qualification may be made on the basis of specific prior experience, prior performance with CCPRC, certification and other appropriate criteria by CCPRC or its staff. If pre-qualification is required for a specific procurement, bids or quotations shall not be received from suppliers or contractors who do not pre-qualify.

### **Cost or Price Data**

A prospective supplier or contractor may be required to submit cost or pricing data when the contract is expected to exceed \$50,000, or prior to any change order or contract modification, including adjustments to contracts required in connection with the initial pricing of the contract.

A contractor, actual or prospective, required to submit cost or pricing data in accordance with this section, shall certify that, to the best of their knowledge and belief, the cost or pricing data submitted is accurate, complete, and current as of a mutually specified date prior to the award of the contract, or the pricing of the change order or contract modification.

Any contract awarded, change order, or contract modification, under which submission and certification of cost or pricing data are required, shall contain a provision stating that the price to CCPRC, including profit or fees, shall be adjusted to exclude any significant sums by which CCPRC finds that such price was increased because the contractor-furnished cost or pricing data was inaccurate, incomplete, or not current as the date agreed upon between CCPRC and the contractor.

### **Contract Formation**

Subject to the limitations of this section, any type of contract which will promote the best interest of CCPRC may be used; provided however, that the use of a cost-plus-a-percentage-of-cost contract is prohibited. Written contracts or internal purchase orders authorized by the Executive Director or designee are required. For contracts more than \$10,000 and under \$50,000 CCPRC will normally use a standard short form contract. For contracts in excess of \$50,000 CCPRC may adopt standard forms for construction,

architect, engineer and service contracts. With the approval of the Executive Director or designee, Division Directors may enter into routine contracts or service agreements, so long as funds are certified as available for such use. Under the authorization of Division Directors, Assistant Directors, or other appropriate staff, may negotiate for services in anticipation of contractual agreements.

### **Determination Prior to Use**

Prior to the utilization of a multi-year contract, it shall be determined in writing:

- a. that estimated requirements cover the period of the contract and are reasonably firm and continuing; and
- b. that such a contract will serve the best interest of CCPRC by encouraging effective competition or otherwise promoting economics in Commission procurement.

### **Cancellation Due to Unavailability of Funds in Succeeding Fiscal Periods**

All multi-year contracts shall contain a clause stating that when funds are not appropriated, or otherwise made available, to support continuation in a subsequent fiscal period, the contract may be cancelled by CCPRC.

### **Right to Inspect Plant**

CCPRC may, at reasonable times, inspect the part of the plant or place of business of a contractor or any subcontractor which is related to the performance of any contract awarded or to be awarded by CCPRC and the books and records of such contractors and subcontractors.

### **Right to Audit Records**

CCPRC may, at reasonable times, audit the books and records of any person who has submitted cost or pricing data to the extent that such books and records relate to such cost or pricing data. Any person who receives a contract, change order, or contract modification shall maintain such books and records that related to such cost or pricing data for five years from the date of final payment under the contract, unless a shorter period is otherwise authorized in writing.

CCPRC shall be entitled to audit the books and records of a contractor or subcontractor under any contract or subcontract to the extent that such books and records relate to the performance of such contract or subcontract. Such books and records shall be maintained by the contractor or subcontractor for a period of five years from the date of final payment under the prime contract and subcontract unless a shorter period is otherwise authorized in writing.

### **Reporting of Anti-Competitive Practices**

When, for any reason, collusion or other anti-competitive practices are suspected among any bidder or offerors, a notice of the relevant facts shall be transmitted to CCPRC's attorney for possible legal action.

### **Procurement Records**

- a. **Contract File:** All determinations and other written records pertaining to the solicitation, award, or performance of a contract shall be maintained in a contract file by the Procurement Officer.

- b. **Retention of Procurement Records:** All procurement records shall be retained and disposed of in accordance with appropriate records retention guidelines and schedules. If a contract is being funded in whole or in part by assistance from a federal agency, then all procurement records pertaining to that contract shall be maintained for five years from the closeout date of the assistance agreement or the final disposition of any controversy arising out of the assistance agreement.

### **Maximum Practicable Competition**

All specifications developed in the procurement process shall be drafted as to promote overall economy for the purpose intended and encourage maximum free and open competition in satisfying CCPRC's needs, and shall not be unduly restrictive.

## **Article 4 - Financial Authorization and Approval of Purchases**

### **Authorization of Purchases**

Commission staff members are authorized to procure budgeted items of supplies, services, and construction within the provisions of these policies.

For expenditures budgeted by line item in the current fiscal year budget, unit purchases in the amount of \$50,000 or greater shall be given public notice and come before CCPRC for award and approval based upon an appropriate procurement process. Budgeted unit expenditures less than \$50,000 need not come before CCPRC for award or approval so long as the award is made to the lowest responsive and responsible bidder. For purchases of \$10,000 to \$50,000, at least three written or documented quotations from qualified sources shall be solicited and purchase based upon the most economical and responsible quotation received. Budgeted unit expenditures of \$1 to \$10,000 shall be purchased on a random, rotational sole source basis judged to be in the best interest of the agency.

### **Progress Payments and Retainage**

Routine progress payments, retainage, and matching funds expended as a result of Commission approved or awarded contract commitments under [Authorization of Purchases](#) shall not come before CCPRC for approval.

### **Authority to Negotiate and Enter into, Approve Expenditures, and Issue Change Orders**

Within the limits outlined in [Authorization of Purchases](#), the Executive Director or designee is authorized to negotiate and enter into contracts for supplies, services, and construction on behalf of CCPRC. Moreover, the Executive Director or designee may sign contracts, letters of agreement, memorandum of understanding, and other instruments on behalf of CCPRC.

Authority to negotiate, enter into, and administer routine contracts, service orders, receipt documents, and other instruments may be further delegated to Division Directors or their subordinates. This includes the authority to approve or issue unilateral change orders or modifications subject to the following limitations:

Approval authority for contract modifications are as follows:

<b>Contract Amounts</b>	<b>CCPRC Staff Approval Authority</b>
<b>\$300,000 or greater</b>	<b>14% of contract</b>
<b>\$150,000 to \$299,999</b>	<b>16% of contract</b>
<b>\$50,000 to \$149,999</b>	<b>18% of contract</b>
<b>\$ 1 to \$ 49,999</b>	<b>20% of contract</b>

Notwithstanding the staff approval percentages listed above, for contracts with an original value of less than \$50,000 the Executive Director or designee may approve change order so long as the cumulative total of all change orders for that contract does not exceed \$50,000; any change order that would cause the cumulative total to exceed \$50,000 shall require Commission approval.

Every contract modification, change order, or contract price adjustment under a construction contract with CCPRC in accordance with the above schedule shall be subject to prior approval by the Executive Director or designee after receiving a report as to the effect of the contract modification, change order, or contract price adjustment on the total project budget or the total contract budget.

### **Exemptions**

The following list includes samples of supplies and services that are exempt from the procurement procedures outlined in this policy. Additions and deletions shall be made by regulation:

1. advertising time or space in newspapers, radio, television, professional journals or publication;
2. original works of art for public display;
3. published books, maps, periodicals, and technical pamphlets;
4. postage stamps and postal fees and U.S. Post Office Box rentals;
5. professional training, including travel and lodging;
6. conference facilities;
7. maintenance or equipment that must be provided by the original equipment manufacturer or an authorized dealer;
8. chemicals, including pesticides and pool (water park) maintenance supplies;
9. services provided by public utilities (gas, electricity, water, and sewer) subject to rate regulation by the Public Service Commission;
10. credit card purchases for gas, oil charges only;
11. professional dues and registration and membership fees;
12. attorney's and legal services;
13. license agreements for computer software, after such software has been purchased subject to the provisions of the ordinance;
14. procurement of copyrighted educational films, filmstrips, slides and transparencies, CD ROM documents, data bases, computer maintenance and computer assisted instructional materials, interactive video programs and other related material made available by technology that can only be obtained

- from the company providing the information;
- 15. purchase of goods, products and services from the South Carolina Department of Corrections, Division of Prison Industries;
- 16. payment to the State against purchases made from the State;
- 17. all insurance premiums;
- 18. all payments to Federal and State agencies (i.e., unemployment taxes, fees, etc.); and
- 19. purchases for the purpose of resale.

**Leases of Business Personal Property**

- a. **Definition:** A lease is a contract for use of the equipment or other supplies, under which Title does not pass to CCPRC unless there is a purchase option, where Title may pass to CCPRC at some future time.
- b. **Conditions:** A lease may be entered into provided -
  - 1. It is in the best interest of CCPRC.
  - 2. All conditions for renewal and costs of termination are set forth in the lease, and
  - 3. The lease shall be obtained utilizing normal procurement procedures.
- c. **Lease with Purchase Option:** A purchase option in a lease may be exercised only if the lease containing the options was awarded under competitive sealed bidding, or competitive proposals, or the lease supply or equipment is the only supply or equipment that can meet CCPRC’s requirements as determined, in writing, by the requesting Division Director and approved by the Executive Director or designee.
- d. **Option Provisions:** When a contract is to contain an option for renewal, extension, or purchase, notice of such provision shall be included in the solicitation. Exercise of the option is always at the discretion of the Executive Director or designee and not subject to agreement or acceptance by the Lessee and/or Vendor.

**Article 5 - Procurement of Construction, Architect – Engineer and Land Surveying Services**

**Management of Construction Contracting**

The Executive Director or designee, upon Commission approval, shall have discretion to select the appropriate method of construction contracting management for a particular project. In determining which method to use, the Executive Director or designee shall consider the CCPRC's requirements, its resources, and the potential contractors’ capabilities. The Executive Director or designee shall have the discretion to use construction contracting administration, construction management services, design-build services, or turnkey management services.

**Construction Performance and Payment Bond**

- a. **Required Amounts:** When a construction contract is awarded in excess of \$50,000, the following bonds or security shall be delivered to CCPRC and shall become binding on the parties upon the execution of the contract.
  - 1. a performance bond satisfactory to CCPRC, executed by a "T listed" surety company authorized to do business in this State or otherwise secured in a manner satisfactory to CCPRC, in an amount equal to one hundred (100%) percent of the price specified in the contract; and
  - 2. a payment bond satisfactory to CCPRC, executed by a "T listed" surety company authorized to do business in this State or otherwise secured in

a manner satisfactory to CCPRC, for the protection of all persons supplying labor and materials to the contractor or its subcontractors for the performance of the work provided for in the contract. The bond shall be in an amount equal to one hundred (100 %) percent of the price specified in the contract.

- b. **Authority to Require Additional Bonds:** Nothing in this section shall be construed to limit the authority of CCPRC to require a performance bond or other security in addition to those bonds, or in circumstances other than specified in this section.

### **Bond Forms and Copies**

- a. **Bond Forms:** The Executive Director or designee, may promulgate by procedure the form of bonds required by this section.
- b. **Certified Copies of Bonds:** Any person may request and obtain from CCPRC a certified copy of a bond upon payment of the cost of reproduction of the bond and postage, if any. A certified copy of a bond shall be prima facie evidence of the contents, execution, and delivery of the original.

### **Contract Clauses and their Administration**

All contracts for supplies, services, and construction may include provisions necessary to define the responsibilities and rights of the parties to the contract. The Executive Director or designee, may issue clauses appropriate for supply, service, or construction contracts, including but not limited to one or more of the following subjects:

1. the unilateral right of CCPRC to order in writing or orally, changes in the work within the scope of the contract;
2. the unilateral right of CCPRC to order in writing or orally, temporary stoppage of the work or delaying performance that does not alter the scope of the contract;
3. variations occurring between estimated quantities of work in a contract and actual quantities;
4. defective pricing;
5. liquidated damages;
6. specified excuses for delay or non-performance;
7. termination of the contract for default;
8. termination of the contract in whole or in part for the convenience of CCPRC;
9. suspension of work on a construction project ordered by CCPRC;
10. site conditions differing from those indicated in the contract, or ordinarily encountered, except that differing site conditions clauses need not be included in a contract;
11. listing of the names, location, and amounts of work to be performed by subcontractors;
12. adjustments in price resulting from the use of contract clauses required in this section shall be computed in one or more of the following ways:
  - a. by agreement on a fixed price adjustment before commencement of the pertinent performance or as soon thereafter as practicable;
  - b. by unit price specified in the contract or subsequently agreed upon;
  - c. by the cost attributable to the events or situations under such clauses with adjustment of profit of fee, all as specified in the contract or subsequently agreed upon;

- d. in such other manner as the contracting parties may mutually agree; or
  - e. in the absence of agreement by the parties, by unilateral determination by CCPRC of the reasonable costs allocable, either directly or indirectly to the events or situations under such clauses as accounted for in accordance with generally accepted accounting principles, and with adjustments of profit or fee, as appropriate.
13. A contractor shall be required to submit cost or pricing data if any adjustment in contract price is subject to the provisions of Cost or Price Data. The entire contract amount shall be approved by CCPRC.
14. The Executive Director or designee may establish standard contract clauses for use in Commission contracts.

### **Selection Process for Architect-Engineer and Land Surveying Services**

It is the policy of CCPRC to publicly announce all anticipated architectural, engineering, and land surveying contracts greater than \$50,000, excluding reimbursable expenses, and to negotiate such contracts on the basis of demonstrated competence and qualifications at fair and reasonable prices.

A selection committee comprised of appropriate staff members, augmented by Commissioners as necessary, to be determined by CCPRC, will review statements of qualifications and performance data in the selection process. This selection committee will make recommendation of the architect-engineer and land surveying services contracts to the full Commission for selection.

**Selection Process:** The Executive Director or designee shall get proposals from no less than three firms regarding the contract and shall select from among them the firms deemed most qualified to provide the required services. The selection shall be made in order of preference, based on criteria established by the Executive Director or designee.

If a construction project that is a continuation or an additional phase of a development and in which the architect, engineer or land surveying of previous construction of that development was selected by one of the above processes, CCPRC has the right to continue using the services of the same architecture, engineering or land surveying firm without going through one of the above selection processes.

**Negotiation:** The Executive Director or designee shall negotiate a contract with the highest qualified firm for architect-engineer or land surveying services at a compensation which is considered to be fair and reasonable to CCPRC. In making this decision the Executive Director or designee shall consider the established value, the scope, the complexity, and the professional nature of the services to be rendered. Should the Executive Director or designee be unable to negotiate a satisfactory contract with the firm considered to be most qualified, negotiations with that firm shall be formally terminated. The Executive Director or designee shall then undertake negotiations with the second most qualified firm. Should the Executive Director or designee be unable to negotiate a contract with any of the selected firms, the Executive Director or designee shall select additional firms in order of their competence and qualifications, and the Executive Director or designee shall continue negotiations in accordance with this section until an agreement is reached. The duties of the Executive Director or designee

in regards to this section may be further delegated.

**Exception for Small Architect-Engineer and Land Surveying Services Contracts**

a. **Procurement Procedures for Small Contracts:** The Executive Director may approve the selection of small architect-engineer or land surveying services which are estimated not to exceed \$50,000, excluding reimbursable expenses, by direct negotiation and selection, taking into account:

1. the nature of the project,
2. their capability to produce the required services within a reasonable time,
3. past performance, and
4. eligibility to meet project budget requirements.

Maximum fees allowed are \$50,000, excluding reimbursable expenses, during a 12-month period to any one firm for any one project. Large projects may not be broken down into smaller ones to circumvent the maximum fee limit.