

Please Be Kind to Cyclists
Policies and Procedures

Please Be Kind to Cyclists' (PBKTC) Policies and Procedures guide the organization's intention to comply with the standards set forth in the U.S. Code of Federal Regulations (CFR), Title 49-A—Transportation, Part 19 – Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals and Other Non-Profit Organizations. Beside the following sections of CFR Title 49-A-19, we additionally incorporate the remainder of all sections of CFR Title 49-A-19:

§19.20 Purpose of financial and program management.

Sections 19.21 through 19.28 prescribe standards for financial management systems, methods for making payments and rules for: satisfying cost sharing and matching requirements, accounting for program income, budget revision approvals, making audits, determining allowability of cost, and establishing fund availability.

§19.40 Purpose of procurement standards.

Sections 19.41 through 19.48 set forth standards for use by recipients in establishing procedures for the procurement of supplies and other expendable property, equipment, real property and other services with Federal funds. These standards are furnished to ensure that such materials and services are obtained in an effective manner and in compliance with the provisions of applicable Federal statutes and executive orders. No additional procurement standards or requirements will be imposed by the Federal awarding agencies upon recipients, unless specifically required by Federal statute or executive order or approved by OMB.

Should a requirement not be listed below, we will maintain a printed copy of CFR 49, A, Part 19 at our office for review. If necessary, we also have a copy of OMB A110.

The following policies additionally contain PBKTC policies and procedures requiring Safety Belt usage and prohibiting Cell Phone usage while driving either work or personal vehicles.

- I. Procurement Policies Overview. All PBKTC directors, employees, or agents who participate in the selection or acceptance of a contract for equipment, materials, supplies, or services must comply with PBKTC's code of conduct and conflict of interest policy.
 - A. Conflict of Interest – PBKTC staff, directors, and officers will not accept gifts, favors, or remuneration for personal gain in any form whatsoever from any individual, agency, corporation, or organization which does business with or may do business in the future with PBKTC. Nor will employees accept concurrent employment from any such individual, agency, corporation, or organization while an employee of PBKTC. A Conflict

- of Interest statement be completed annually by all Board Members and Employees. A separate and more exclusive statement of this policy is defined in another document.
- B. Subcontractor Responsibilities -- The recipient is the responsible authority, without recourse to the Federal awarding agency, regarding the settlement and satisfaction of all contractual and administrative issues arising out of procurements entered into in support of an award or other agreement. This includes disputes, claims, protest of award, source evaluation or other matters of a contractual nature. Matters concerning alleged violation of statute are to be referred to mediation or such Federal, State or local authority as may have proper jurisdiction.
 - C. No Purchase of Items for Personal Use. No director, employee, or agent who participates in the selection or acceptance of a contract for equipment, materials, supplies, or services will use such items for personal use.
 - D. No Receipt of Gratuities. No director, employee, or agent will solicit or accept gratuities, favors, or anything of value from contractors, potential contractors, or parties to agreements with PBKTC.
 - E. Avoid Practices that are Restrictive of Competition. The Board of Directors will not place unreasonable restrictions on competition. These practices include: requiring unnecessary experience, excessive bonding, or unreasonably mandating a specific brand name product.
 - F. Document Cost Analysis. PBKTC will conduct a cost analysis and document the analysis in the procurement files in conjunction with every purchase. The procurement file should include a justification for the lack of competition if sufficient offers are not obtained.
 - G. Contract with Selected Proposer. If a contract is proposed, PBKTC will enter into a contract with selected proposer that specifies the equipment, materials, supplies, property, or services to be purchased and the payment terms.
 - H. Evaluate Each Subcontractor. PBKTC will evaluate each sub-contractor at the completion of each subcontract. The evaluation will be utilized to make decisions to award future sub-contracts.
 - I. Procurements. PBKTC will follow these procurement procedures and policies for Supplies, Equipment and Professional Services Contracts:
 - 1. Pricing Procedures. One of the following procurement procedures will be utilized for all purchases of equipment, materials, supplies, property, or services involving federal funds or involving amounts over \$500:
 - a. Open Market Inquiry. PBKTC will inquire in the open market to ensure an advantageous price and quality. The file will document the inquiries made and offers received.
 - b. Request for Competitive Quotes. For contracts under \$25,000, PBKTC will:
 - i. Request competitive quotes in writing from at least three different sources.
 - ii. Solicitations will clearly set forth all requirements that the proposal or offer will fulfill in order for the proposal or offer to be evaluated by the recipient.

- iii. Applicants will be evaluated and selected based on any or a combination of the following criteria: best value, best price, work history, and/or demonstrated quality of work and ability to deliver on a timely basis.
 - iv. Document each invitation made and offer received.
 - v. Date and time stamp all offers upon receipt.
 - vi. Recruit and engage a Panel of 3-5 bicycle, education, and marketing experts for the selection process.
 - vii. Utilize a scoring matrix.
 - viii. Document on matrix justification if not selecting lowest proposal.
- c. Formal Proposal Procedure. For contracts under \$25,000, PBKTC will solicit competitive responses through Requests for Proposals.
- d. Small, Minority and Women-owned Businesses. PBKTC adopts the policy of CFR 49-19 and will make positive efforts to utilize small businesses, minority-owned firms, and women's business enterprises, whenever possible. PBKTC will take all of the following steps to further this goal:
- i. Ensure that small businesses, minority-owned firms, and women's business enterprises are used to the fullest extent practicable.
 - ii. Make information on forthcoming opportunities available and arrange time frames for purchases and contracts to encourage and facilitate participation by small businesses, minority-owned firms, and women's business enterprises.
 - iii. Consider in the contract process whether firms competing for larger contracts intend to subcontract with small businesses, minority-owned firms, and women's business enterprises.
 - iv. Encourage contracting with consortiums of small businesses, minority-owned firms and women's business enterprises when a contract is too large for one of these firms to handle individually.
 - v. Use the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Department of Commerce's Minority Business Development Agency in the solicitation and utilization of small businesses, minority- owned firms and women's business enterprises.
2. Due diligence must be used to obtain the required items at the lowest price whenever possible taking into consideration quality and delivery time.
3. Resource Conservation Whenever possible, and if funds allow, PBKTC will purchase specific products containing recycled or environmentally sensitive materials & supplies identified in guidelines developed by the Environmental Protection Agency (EPA) (40 CFR parts 247-254) and will give preference in our procurement programs funded with Federal funds to the purchase of

recycled products pursuant to the EPA guidelines. Price comparison between recycled and regular materials should be considered.

4. Follow the Buy American Act. All items purchased must be made in America or assembled in America.
5. PBKTC will consider Lease vs Purchase on equipment.
6. For Professional Services Contracts, PBKTC will conduct all procurement transactions in a manner that maximizes opportunities, increases quality, and reduces the cost of purchase. PBKTC reserves the right to reject any offers.
7. Document Prices. PBKTC will maintain files on all quotations solicited and offers or proposals received and any criteria for selection. In all instances in which the lowest proposal is not awarded in the contract, justification for the selection must be contained in the file.
8. In order to ensure objective contractor performance and eliminate unfair competitive advantage, contractors that develop or draft specifications, requirements, statements of work, invitations for proposals and/or requests for proposals will be excluded from competing for such procurements.

J. Program Income / Expense & Allocations

A. Check Authorization

1. All Expenses over \$5,000 will be pre-authorized by an authorized member of the Board of Directors or Executive Directors.
2. Check signing will require one authorized signature up to \$1,500 and two authorized signature for all amounts above \$1,500.
3. Payroll checks and any tax deposit will only require one signature.
4. Invoices and receipts should be marked "Paid" and will include the Date of Payment and type of expense for Office Records.

B. Expense Reports and Reimbursements

1. Expense reports and reimbursements will be approved by the Executive Director and/or Project Assistant.
2. Expenses will be substantiated by attaching the receipts to the expense report. Proper expense account per GL account and breakdown of program (Class) should be noted on the receipt and report.
3. Out-of-pocket expense purchases will be reimbursed by submitting an expense report with all expenses receipts attached.
4. Receipts on all purchases are required, and annotated with the general ledger account information and breakdown of program (class).
5. Credit Card receipts will be filed promptly, with the account information and breakdown of program on the receipt. If an employee uses a non-company credit card an expense report will be required for reimbursement.
6. All income and expense transactions will be tracked by program using "Classes" in Quick Books accounting software.

7. All expenses directly related to any of the Programs will be allocated to each program.
 8. All expenses that are administrative in nature and do not relate to program services will be allocated as general and managerial expenses.
 9. Shared expenses – The PBKTC Executive Committee which consists of PBKTC Officers and the Executive Director will determine in consultation with the Finance Director the expense percentage of allocation classified to each program for expenses covering more than one program or administrative based on percentage of revenue received by each program / administration.
- C. Cost sharing / Matching / In-kind.
1. Records will be maintained and verifiable.
 2. Income/expense will be allocated specific to each program (classes).
 3. Recorded when necessary and reasonable for efficient accomplishment of project or program objectives.
 4. Recorded only when allowable under the income/expense category as per approved budget.
 5. Value for professional services / technical personnel / consultants / other skilled labor /employees / supplies / equipment / property /space / loaned equipment will follow OBM Circular A-110, Cost sharing or matching paragraph 23.
- D. Records, Financial Statements and Budgets
1. Financial reporting will be on an accrual basis following GAAP principles.
 2. Executive Director, Program Manager and/or Finance Manager authorization required on records.
 3. All records (source documents) will be maintained at PBKTC office location.
 4. Electronic scans of records will be maintained using cloud-based programs.
 5. All records will identify the source and application of funds. GL Account Code will be used to identify income & expense accounts and Classes will be used to identify fund/program affected.
 6. Comparative (budget to actual by class) financial statements will be provided to the Board of Directors on a monthly basis for review.
 7. Annually, the Executive Committee will prepare an annual budget and have it approved by the Board of Directors prior to the beginning of the next fiscal year.
 8. Changes to program budgets will require prior approval from the Executive Committee and from respective agency for program funds funded by such agency.
 9. Monthly reporting of grant funds will be done on or before the 7th day of the following month and submitted timely for reimbursement.

E. Assets

1. PBKTC policy is to capitalize all assets of more than \$5,000 rather than expense as office supplies and materials.
2. Asset depreciation will be done on a monthly basis.
3. Equipment records will be maintained accurately and will include the following information.
 - a. A description of the equipment.
 - b. Manufacturer's serial number, model number, Federal stock number, national stock number, or other identification number.
 - c. Source of the equipment, including the award number.
 - d. Whether title vests in the recipient or the Federal Government.
 - e. Acquisition date (or date received, if the equipment was furnished by the Federal Government) and cost.
 - f. Information from which one can calculate the percentage of Federal participation in the cost of the equipment (not applicable to equipment furnished by the Federal Government).
 - g. Location and condition of the equipment and the date the information was reported.
 - h. Unit acquisition cost.
 - i. Ultimate disposition data, including date of disposal and sales price or the method used to determine current fair market value where a recipient compensates the Federal awarding agency for its share.
 - j. All equipment purchased will be labeled and identified by program.
 - k. A sign-out/in sheet will be maintained for equipment needing to leave PBKTC premises for PBKTC purposes.
4. All assets purchased with grant funds will be used solely for specified grant.

K. General & Administrative

A. Code of Ethics

It is the intent of the PBKTC programs to develop and maintain an ethical practical environment in all aspects of operation. This Code of Ethics will be observed in order to ensure that neither the appearance nor actual occurrence of irregularity or impropriety is allowed to exist.

- B. PBKTC staff, board members, officers, and volunteers will exercise ethical conduct when representing PBKTC.
- C. Photography -- Prior to photographing, video recording, or cinematography, a written release must be obtained from the client (over 18), (under 18) Guardian, or visitor.
 1. A PBKTC representative will:
 - a. Schedule the photography session
 - b. Ensure completion of a written release including the reason for the photo.

- c. Be present for the photo session.
 - d. Witness signing of release form.
- D. Confidentiality -- Victim Relief, Donor and Member Information will be handled in a confidential manner to protect and preserve the right to privacy and ensure compliance with State and Federal Laws.
 - 1. All requests for information and release of records must be referred and approved by the Executive Director.
 - 2. All PBKTC members will sign a Conflict of Interest and Confidentiality Agreement each fiscal year.
 - 3. Mailing lists will not be shared.
- E. Internet Usage -- It is the policy of PBKTC to offer information about the programs and services it provides to the Community via the internet – i.e. program information, training, history, and how to contact us at www.pleasebekindtocyclists.org.
- F. Safety Belt Usage -- Texas State Law states that all passengers must properly wear safety belts, regardless of where they are seated in the vehicle. PBKTC employees and contractors are required to wear safety belts while operating or riding in any motor vehicle. Employees, contractors and their vehicle occupants are also reminded that Texas law requires children younger than 8 years old be secured in an age-appropriate child safety seat unless they are at least 4 feet, 9 inches tall. Failure to follow company policy and properly wear safety belts may result in a written warning, administrative leave, dismissal or a combination of all of the above.
- G. Cell Phones Usage – It is the mission of PBKTC to increase awareness of cyclists and motorists, therefore we have the following policy: Cell phones are not permitted to be used while driving during PBKTC volunteer or working hours. Using cell phones puts you and our local community in great danger. Violations of the cell phone policy will result in a written warning, administrative leave, dismissal or a combination of all of the above.