



WELLS COUNTY ORDINANCE NO. 2019- 08

An Ordinance Establishing Written Policies For Purchases Made By The Purchasing Agencies Of Wells County Indiana

WHEREAS, Indiana Code § 5-22-3-3 allows a governmental body to adopt rules to regulate purchases of the governmental body; and

WHEREAS, Indiana Code § 5-22-3-3 further allows the purchasing agency of a governmental body to establish written policies for purchases made by the purchasing agency, which written policies may apply to all purchases generally or to a specific purchase as stated in the solicitation for the purchase; and

WHEREAS, the Wells County Board of Commissioners previously adopted Wells County Ordinance No. 98-11, Wells County Ordinance No. 99-8, and Wells County Ordinance No. 98-9, designating purchasing agents for Wells County and establishing purchasing policies; and

WHEREAS, the Wells County Board of Commissioners desire to amend, revise and supplement the purchasing policies established by Wells County Ordinance No. 98-11, Wells County Ordinance No. 99-8, and Wells County Ordinance No. 98-9;

IT IS THEREBY ORDAINED by the Board of Commissioners of Wells County, Indiana, establish and adopt written policies for purchases made by the purchasing agencies of Wells County Indiana as follows:

Publication of Notices

1. Invitation for Bids. All notices of invitation for bids shall be published in accordance with IC 5-3-1 in the Bluffton News-Banner and the Ossian Journal. The purchasing agent shall schedule the publication of notice to provide a reasonable amount of time for preparation and submission of bids. The notice will be published two times, at least one week apart. The second publication must occur at least seven (7) days prior to the date the bids will be opened.

2. Request for Proposals. All notices of request for proposals shall be published in accordance with IC 5-3-1 in the Bluffton News-Banner and the Ossian Journal. The purchasing agent shall schedule the publication of notice to provide a reasonable amount of time for preparation and submission of proposals. The notice will be published two times, at least one week apart. The second publication must occur at least seven (7) days prior to the date the proposals will be opened.

3. Request for Specifications. All notices of request for specifications shall be published in accordance with IC 5-3-1 in the Bluffton News-Banner and the Ossian Journal. The purchasing agent shall schedule the publication of notice to provide a reasonable amount of time for preparation and submission of proposals. The notice will be published two times, at least one week apart. The second publication must occur at least seven (7) days prior to the date the proposals will be opened.

4. Electronic Notices. Whenever a notice or other material, including specifications, an invitation for bids, request for proposals or request for specifications, is sent by mail, the purchasing agent may also send the notice or other material by electronic means, provided that the transmission of the information is at least as efficient as mailing the information.

Receiving Offers

1. Opening of Offers. Bids received in response to an invitation for bids must be opened publicly in the presence of at least one or more witnesses at the time and place designated in the invitation for bids. Proposals received in response to a request for proposals must be opened so as to avoid disclosure of the contents to competing offerors during the process of negotiation. Proposals received in response to a request for specifications may be opened as specified in the request for specifications.

2. Electronic Receipt of Offers. The purchasing agency may receive electronic offers in response to an invitation to bid, request for proposals or request for specifications. An electronic offer may only receive an electronic offer if:

- A) The solicitation includes the procedure for the electronic transmission of the offer; and
- B) The purchasing agency receives the offer on a fax machine or other system with a security feature that protects the contents of an electronic offer with the same degree of protection as provided to an offer not transmitted electronically.

3. Correction and Withdrawal of Bids. An offeror may correct inadvertent errors in a bid up to the time at which bids will be opened by supplementing the erroneous bid and submitting a revised bid. A bidder may not supplement an inadvertently erroneous bid after the time at which the bids were opened. A bidder may withdraw a bid containing inadvertent errors up to the time at which bids will be opened and for a period of not more than 24 hours after the time at which the bids were opened.

4. Cancellation of Solicitation. When the purchasing agent makes a written determination that it is in the county's best interests, the purchasing agent may cancel a solicitation or reject all offers, provided that the solicitation included information concerning the procedure for cancellation.

5. Provide Copies of Contracts to the Board of Commissioners. The purchasing agent may reject all offers. If the purchasing agent receives a satisfactory offer, the purchasing agent shall award a contract to the lowest responsible and responsive offeror for each line or class of supplies required and submit a copy of the contract for such purchase to the Board of Commissioners. If the purchasing agent does not receive a offer from a responsible and responsive offeror, the purchasing agent may purchase the supplies under IC 5-22-10-10, and submit a copy of the contract for such purchase to the Board of Commissioners.

Small Purchases

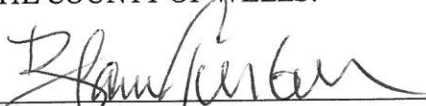
1. The purchasing agent may purchase supplies with an estimated cost of less than fifty thousand dollars (\$50,000) on the open market without inviting or receiving quotes, and submit a copy of the contract for such purchase to the Board of Commissioners.

2. The purchasing agent may purchase supplies with an estimated cost of at least fifty thousand dollars (\$50,000) and not more than one hundred fifty thousand dollars (\$150,000) by inviting quotes from at least three (3) persons known to deal in the lines or classes of supplies to be purchased. The purchasing agent shall mail an invitation to quote to those persons at least seven (7) days before the time fixed for receiving quotes. The purchasing agent may reject all quotes. If the purchasing agent receives a satisfactory quote, the purchasing agent shall award a contract to the lowest responsible and responsive offeror for each line or class of supplies required and submit a copy of the contract for such purchase to the Board of Commissioners. If the purchasing agent does not receive a quote from a responsible and responsive offeror, the purchasing agent may purchase the supplies under IC 5-22-10-10, and submit a copy of the contract for such purchase to the Board of Commissioners.


This Ordinance shall be in full force and effect upon passage.

THIS ORDINANCE IS ORDAINED, APPROVED, ENACTED, and SIGNED, by the Board of Commissioners of Wells County on June 3, 2019.


THE BOARD OF COMMISSIONERS
OF THE COUNTY OF WELLS:



Blake Gerbet, President

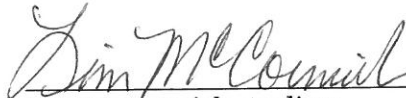


Kevin S. Woodward, Vice-President



Tamara L. Robbins, Member

ATTEST:



Lisa McCormick, Auditor

This instrument was prepared by the Wells County Attorney, Roy R. Johnson, Attorney No. 4937-90, 222 West Market St., P.O. Box 295, Bluffton, IN 46714. *I affirm, under penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law. Lisa McCormick*