

THE BOARD OF COMMISSIONERS OF WABASH COUNTY, INDIANA

RESOLUTION # 85-05
, 2009

ADOPTING RULES REGULATING PUBLIC PURCHASES FOR THE WABASH COUNTY
HIGHWAY DEPARTMENT

RECITALS

The Indiana public purchasing law (currently, I.C. 5-22) applies to every expenditure of public funds by a governmental body.

The Board of Commissioners of Wabash County, Indiana, may adopt rules and policies to regulate purchases of supplies and services. The rules and policies may supplement, but may not be inconsistent with the public purchasing law.

The Board of Commissioners of Wabash County, Indiana, now adopts the following rules to regulate the purchases of supplies and services:

1. Appointment of Purchasing Agent. The Superintendent of the Wabash County Highway Department ("Department") is appointed as purchasing agent for the Department.

2. Specifications.

2.1. The Department's purchasing agent shall prepare, issue, revise, maintain, and monitor the use of specifications with regard to the purchase of supplies and services

2.2. A specification means a description of the physical or functional characteristics of a supply or service or the nature of a supply or service.

2.3. A specification must promote the overall economy for the intended purpose and encourage competition in satisfying the County's needs.

2.4. The purchasing agent may request assistance from private parties in the development of specifications when the purchasing agent makes a written determination that the development of the specifications without outside assistance is not feasible and with the prior approval of the Board of Commissioners.

3. Purchases less than Five Thousand Dollars (\$5,000.00). If the purchasing agent expects the purchase to be less than Five Thousand (\$5,000.00), the purchasing agent may purchase supplies and services without inviting quotes or competitive bidding.

4. Purchases of at least Five Thousand Dollars \$5,000.00) and not more than Fifty Thousand Dollars (\$50,000.00). If the purchasing agent expects the purchase to be at least Five Thousand Dollars (\$5,000.00), and not more than Fifty Thousand Dollars (\$50,000.00), the purchasing agent may purchase supplies and services by inviting quotes from at least three (3) persons known to deal in the line or classes of supplies or services to be purchased. An invitation to quote shall be mailed to such persons at least seven (7) days before the time fixed for receiving quotes. If a satisfactory quote is received, the purchasing agent shall award a contract to the lowest responsible and responsive offeror(s). The purchasing agent may reject all quotes. If the purchasing agent does not receive a satisfactory quote, the

purchasing agent may purchase the supplies and services under the special purchasing procedures set forth in the public purchasing law.

5. Purchases of more than Fifty Thousand Dollars (\$50,000.00). If the purchasing agent expects the purchase to be more than Fifty Thousand Dollars (\$50,000.00), the purchasing agent shall use the competitive bidding process set forth in the public purchasing law.

6. Dispensing with Competitive Bidding. When the purchasing agent makes a written determination that the use of competitive bidding is either not practical or not advantageous, the purchasing agent may, with the prior consent of the Board of Commissioners, award a contract using the request for proposal process set forth in the public purchasing law.

7. Determination of an Offer as Not Responsible or Not Responsive. If a purchasing agent determines that a offeror is not responsible, or its offer (whether it be a proposal, quote, or bid) is not responsive, such determination shall be in writing.

8. Contents of Offer.

8.1. Financial Responsibility. The purchasing agent must specify in each invitation that an offeror must provide evidence of financial responsibility in order to be considered responsible. Evidence of financial responsibility may be a bond, certified check, or other evidence specified by the purchasing agent in the invitation. If a bond or certified check is required as the evidence of financial responsibility, the amount of the bond or certified check shall not be set at more than ten percent (10%) of the contract price, and shall be made payable to the Board of Commissioners.

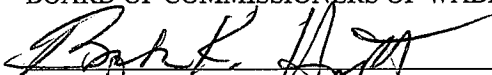
8.2. Noncollusion. Each offeror must file with the purchasing agent an affirmation, made under the penalties of perjury, that the states in substance the following:

- 8.2.1. The offeror has not entered into a combination or an agreement;
 - 8.2.2.1. relative to the price to be offered by a person;
 - 8.2.2.2. to prevent a person from making an offer; or
 - 8.2.2.3. to induce a person to refrain from making an offer.

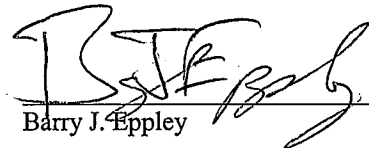
8.2.3. The offeror's offer is made without reference to any other offer.

Adopted this 19th day of October, 2009.


BOARD OF COMMISSIONERS OF WABASH COUNTY



Brian K. Hauptert, Chairman



Barry J. Eppley



Scott E. Givens

Attest: 

Jane Ridgeway, Wabash County Auditor