

# **ALLEN COUNTY CODE TITLE 7 PURCHASING**

## **ARTICLE 2 PURCHASING DEPARTMENT**

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### **7-2-1 Chapter 1: Coverage**

7-2-1-1 The Allen County Purchasing Department is hereby established for the purpose of purchasing all materials, supplies, and services and disposing of unneeded County property as directed by the Board of Commissioners. Pursuant to authority granted by the Board of Commissioners I.C. 36-1-3 et seq.

### **7-2-2 Chapter 2: Organization**

#### **7-2-2-1**

The Purchasing Department shall be under the direction and control of a Purchasing Director, appointed by the Allen County Commissioners under the authority granted by IC 5-22-4-5.

#### **7-2-2-2**

The Purchasing Director shall have the authority to employ and dismiss any and all employees in the Purchasing Department, assign duties to them, and organize the Department in any manner he or she determines will best serve the interests of Allen County.

#### **7-2-2-3**

Except for the Purchasing Director, all employees of the Purchasing Department shall be subject to the policies and rules established by the Board of Commissioners and found in the Allen County Employee Handbook.

### **7-2-3 Chapter 3: Purchase Requisitions**

#### **7-2-3-1**

All purchase requisitions shall be submitted to the Purchasing Department by the various departments requiring goods or services. Refer to the Purchasing Schedule for specific purchasing guidelines.

#### **7-2-3-2**

The Purchasing Department shall make every reasonable effort to secure correct prices and delivery scheduled for the requirement stated on the purchase requisitions: when the requirement is under contract, the contract price shall be used.

## **7-2-4-Chapter 4: Purchase Order**

### **7-2-4-1**

Upon approval of the priced purchase requisition the purchase order and a contract (in the case of a sealed bid) shall be prepared, containing all pertinent information and shall be distributed as follows:

- (a) An original copy shall be sent to the vendor unless the purchase order has been noted as redline in accordance with 7-2-4-6;
- (b) A departmental copy shall be sent to the requisitioning department;
- (c) The Purchasing Department copy shall be filed in the Purchasing Department.  
*(Amended 3-2-12 by Ordinance #03-02-12-01)*

### **7-2-4-2**

The purchase order numbers applying to each transaction shall be written on the corresponding purchase requisition, and the purchase requisition shall then be filed in the Purchasing Department in such a manner as to provide secure permanent storage for later reference.

### **7-2-4-3**

All notes of telephone quotations, written quotations, or advertised goods, shall be noted with the purchase order number, as justification for selection of the vendor.

### **7-2-4-4**

Purchases paid by Purchase Card, and placed by Purchasing staff, on behalf of county departments, shall not require a purchase order.

*(Added 3-2-12 by Ordinance #03-02-12-01)*

### **7-2-4-5**

Purchase orders open at year-end will be audited for validity by the Purchasing Department. Open purchase orders without adequate documentation of invoice number, quote number or contract number will be unencumbered and the funds rolled back into the fund of origin.

*(Added 3-2-12 by Ordinance #03-02-12-01)*

### **7-2-4-6**

Red line and Blanket purchase orders may be used upon review and approval by the Purchasing Department.

*(Added 3-2-12 by Ordinance #03-02-12-01)*

## **7-2-5 Chapter 5: Invoices**

### **7-2-5-1**

All invoices and claims for which purchase orders have been issued shall be submitted by the requisitioning department to the Purchasing Department.

### **7-2-5-2**

If the invoices and claims agree with the information as shown on the purchase order the claim shall be stamped “correct”, dated and initialed.

### **7-2-5-3**

The Purchasing Department will take any appropriate action to assist the Board of Commissioners or the department of origin in acquiring additional information toward adjudicating the settlement of disputed transactions.

## **7-2-6 Chapter 6: Advertised Bids**

### **7-2-6-1**

When making a purchase, which requires advertised bids, the Purchasing Department shall perform the following functions:

- (a) Prepare and submit to the local newspaper a properly composed legal advertisement, prepared from the purchase requisition or other formal request which has been approved by the Board of Commissioners, to have it published as required by Indiana Code 5-3-1.
- (b) Have available on the date of the first publication of the advertisement the required specifications and bid forms for distribution to prospective bidders.
- (c) Maintain a list of all prospective bidders who have received the specifications and bid forms.
- (d) Be in attendance at the bid opening and be prepared to publicly read the bids submitted, and to expedite the bid opening in any appropriate manner.

- (e) Take the opened bids and prepare a tabulation, showing the bidder's name, the bid price, the amount of the bid bond, and the name of the bonding company, and supply a copy to the requisitioning department, and file a copy with the bids.
- (f) Make available to any person visual inspection or copies of any or all bids received in accordance with Allen County Public Records Policy.
- (g) Make copies of all valid bids received and submit them to the department of origin for their study and recommendation.
- (h) Carefully evaluate the bids received and confer with the requisitioning department to arrive at a mutually agreed choice of the successful bidder, and so advise the Board of Commissioners with accompanying justification for their determination, final decision, and award of contract.
- (i) Present to the Board of Commissioners an "award of contract" form on which they shall name the company awarded the contract and affix their signatures.
- (j) Prepare the contract for the selected bidder, submit it other Board of Commissioners for their signatures and notify the successful bidder to appear at the Purchasing Department for the purpose of signing the contract and presenting the required performance bond, after which the selected bidder shall be issued its copy of the contract.
- (k) Deliver a copy of the contract to the department of origin, and file the original copy of the contract, along with the bid, in such a manner as to provide secure permanent storage and ready reference.
- (l) Notify all unsuccessful bidders that they may retrieve their bid bonds from the County Auditor's office.
- (m) Where appropriate, execute a purchase order to cover he material or services specified in the contract and process it in the same manner as other purchase orders.

*(Amended 3-2-12 by Ordinance #03-02-12-01)*

## **7-2-7 Chapter 7: Quotations**

### **7-2-7-1**

Upon making a purchase which requires quotations one of the following methods shall be performed:

#### **Formal Written Quotations**

- (a) A "Request for quotation" shall be prepared, listing the materials or service desired, and specifying an opening date and time for the quotation. The vendors are to be given at least seven (7) days in which to respond.

- (b) The Purchasing Department shall distribute these requests to three or more vendors who sell the products desired.
- (c) When the return quotations are received in the Purchasing Department, they shall be held unopened until the designated opening time.
- (d) The quotations received shall be opened and tabulated publicly in the Purchasing Department office, and any interested spectators shall be welcome to attend.
- (e) When there are a number of items on one request, the stipulation may be added that the County reserves the right to accept the lowest price on a per item basis, if it is to the benefit of the County as determined by the Purchasing Director.
- (f) The purchase requisition, which has been submitted by the department in need, shall then be filed with the proper description and pricing.
- (g) A purchase order shall be written, distributed, checked and filed.
- (h) The quotations received for the transaction shall be stapled together, with the successful bidder on the front, and the purchase order number assigned shall be written on the successful quotation, after which time such quotations shall be filed.
- (i) After the determination of the successful vendor, this information may be given to any person making inquiry in accordance with Allen County Public Records Policy.

*(Added 3-2-12 by Ordinance #03-02-12-01)*

#### **Informal Written Quotations**

- (a) A "Request for quotation" shall be prepared, listing the materials or service desired, and specifying an opening date and time for the quotation.
- (b) These requests shall be distributed to three or more vendors who sell the products desired.
- (c) When the return quotations are received, they shall be held unopened until the designated opening time.
- (d) The quotations received shall be opened and tabulated.
- (e) When there are a number of items on one request, the stipulation may be added that the County reserves the right to accept the lowest price on a per item basis, if it is to the benefit of the County as determined by the Purchasing Director
- (f) The purchase requisition, which has been submitted by the department in need, shall then be filed with the proper description and pricing.
- (g) A purchase order shall be written, distributed, checked and filed.

- (h) The quotations received for the transaction shall be stapled together, with the successful bidder on the front, and the purchase order number assigned shall be written on the successful quotation, after which time such quotations shall be filed.
- (i) After the determination of the successful vendor, this information may be given to any person making inquiry in accordance with Allen County Public Records Policy.

*(Added 3-2-12 by Ordinance #03-02-12-01)*

### **7-2-7-2 Telephone Quotations**

When making a purchase which does not require an advertised bid, but in which the Purchasing Department deems it advantageous to acquire competitive prices, and the requirement is of an emergency nature, an unusual item, or one which is readily available from only two or three vendors and is quickly required, the following functions shall be performed by the Purchasing Department using department:

- (a) Telephone calls shall be made to three or more vendors who sell the products required, asking for price and availability. The information received shall be entered on the tabulation sheet and when all quotations have been received, the successful vendor shall be determined.
- (b) While obtaining prices, no information shall be given to any vendor which would enable that vendor to gain an unfair advantage in quoting.
- (c) The information received from the successful vendor shall be placed on the purchase requisition, which shall then be submitted to them for their action.
- (d) The purchase requisition purchase order shall then be filed in the Purchasing Department.
- (e) The tabulation sheet shall have the purchase order number assigned written on it, and it shall then be filed in the Purchasing Department.
- (f) After the determination of the successful vendor, this information may be given to any person making inquiry in accordance with Allen County Public Records Policy.

### **7-2-8 Chapter 8: Contract Purchases**

#### **7-2-8-1**

When there is a purchase for which annual or semi-annual bids have been taken and a contract awarded, the total expenditure, as shown on the purchase requisition submitted, shall be checked against the total dollar amount remaining in the contract, to ensure that the allowable expenditure has not been exceeded.

#### **7-2-8-2**

If the necessary funds are available, the purchase requisition shall be priced from the contact and processed in the established manner.

### **7-2-8-3**

All paperwork required in this transaction should be processed and filed in the County Purchasing Department.

## **7-2-9 Chapter 9: Emergencies**

### **7-2-9-1**

When a true emergency arises requiring the immediate purchase of material or services, the concerned department shall immediately consult the Purchasing Department for recommendations or assistance, and shall then obtain a purchase order number to present to the vendor at the time of purchase.

- (a) The concerned department shall prepare a purchase requisition bearing the assigned purchase order number and identified with the word “confirming” on it.
- (b) The processing of all the paper forms required in the transaction shall then proceed routinely through the Purchasing Department.

## **7-2-10 Chapter 10: Incidental Purchases**

When incidental purchases are to be made, which the requisitioning department desires to select and pick up from a vendor, the concerned department shall first consult the Purchasing Department for recommendations as to source, and then shall obtain the purchase order number and present it to the vendor at the time of purchase.

## **7-2-11 Chapter 11: Particular Items**

### **7-2-11-1**

Institutional food and related supplies shall be obtained by written quotations from wholesale distributors of those items. Copies of the prices submitted shall be sent to each department using these items, and then should select the vendor offering the best prices, or best value, for the times which they require, at the time of each purchase.

*(Amended 3-2-12 by Ordinance #03-02-12-01)*

### **7-2-11-2**

Miscellaneous maintenance and operating materials, supplies and equipment shall be procured as needed, to the best advantage to the County, in the manner determined to be the most efficient and practical at the time of acquisition, using the procedures previously set forth concerning methods of purchasing.

- (a) Miscellaneous maintenance and operating materials, supplies and equipment consist of, but are not limited to, such items as lumber, hardware, paint, glass, fasteners, concrete, plaster, tile, pipe and fittings, plumbing supplies, electric wire, wiring devices, tools and instruments, rope, wire, tape, film, developing and toning supplies, paper, fire extinguishers, batteries, light bulbs, radio maintenance parts, minor automotive parts and supplies, craft supplies, non-contract office supplies, and all other items used in a similar manner.

### **7-2-11-3**

When repair or replacement parts are required for a specific unit or equipment, they shall be purchased to the best advantage of the County, from the source available, even if it is only one source, such as the manufacturer or his duly authorized representative.

### **7-2-11-4**

Purchases of needed used equipment shall be made by evaluating the condition and price of the item, then negotiating the purchase to the best interest of the County.

### **7-2-11-5**

Certain special service requirements are in a category which is not covered by normal purchasing procedure, and generally are not assigned to the Purchasing Department for processing. Included in this category are such services as legal representation, architectural services, specialized engineering services, insurance coverage, specialized consultant services, utility services, real estate appraisal and survey, and similar services. Provided, however, the Purchasing Department shall, in conjunction with the Allen County Highway Department, review, award, and administrate engineering/consulting agreements funded by the Federal government through the Indiana Department of Transportation.

*(Amended 6-23-17 by Ordinance #06-23-17-09)*

### **7-2-11-6**

There are instances when bids or quotations cannot be taken for a service type requirement, such as when labor only is needed, there can be no way of determining the length of time which will be required for the performance. There are also instances when the need arises for a service requiring special skills and technical knowledge. The knowledge and skill factors, as well as the time consumed must enter into the final cost, which cannot be determined until the job is completed. In some instances, the need for, and cost of, repairs and parts cannot be determined until such needs emerge in the performance of the service. In cases such as these, the reputation, integrity, and ability of the company, as well as cost, shall be the determining factor in the selection of a vendor.

*(Amended 3-2-12 by Ordinance #03-02-12-01)*

## **7-2-12 Chapter 12: Standard Items**

### **7-2-12-1**

When after careful test and trial, one specific product proves superior in performance to the others, for a certain use, that product shall be established as the “standard” for that use, and shall be purchased, to the best advantage of the County, using the procedure, most suitable, as previously set forth concerning methods of purchasing.

#### **7-2-12-2**

At the discretion of the using department, future tests may be made of competitive products, with the goal of securing more favorable price or better performance, and if a change of product is made, the new product shall then become the “standard.”

### **7-2-13 Chapter 13: Special Sellers**

#### **7-2-13-1**

When practical and beneficial to the County, purchases may be made from the Indiana State Industries, Department of Correction, without obtaining competitive bids or quotations.

#### **7-2-13-2**

When practical and beneficial to the County, purchases may be made by following the regulations of the Supply Division of the State of Indiana, and using the quantity purchasing award contract, as established by law.

*(Amended 3-2-12 by Ordinance #03-02-12-01)*

#### **7-2-13-3**

Purchases may be made from an unit of government without obtaining competitive bids or quotations.

### **7-2-14 Chapter 14: Sale of Property**

#### **7-2-14-1**

The Purchasing Department shall have the power, and the prior consent of the Board of Commissioners, to sell, exchange or otherwise dispose of all personal property owned by the County after being notified by the department or agency using such personal property that is no longer needed by that department and after determining on its own that no other department or agency is in need of such personal property.

#### **7-2-14-2**

All sales or disposition of real and personal property are to be made pursuant to State law.

### **7-2-15 Chapter 15: Miscellaneous**

### **7-2-15-1**

A copy of all purchase orders and invoices for items of equipment which are to be incorporated in the Allen County Personal Property Record shall be submitted to the Property Records Department.

### **7-2-15-2**

The Purchasing Department shall assist any other County department in securing information in writing specifications, preparatory to the purchase of materials, equipment or services required.

### **7-2-15-3**

In general, the Purchasing Department shall prepare all documents pertaining to the acquisition of materials, equipment and services required by the various departments of the County.

### **7-2-15-4**

The Purchasing Department shall review all invoices and/or claims, to assure that the type, quality and quantity of the goods as billed are the same as listed on the purchase order and acknowledged by the receiving department, and also, to assure the correct pricing.

### **7-2-15-5**

The Purchasing Department shall stand ready to provide information to other County departments, regarding products, sources or prices, and also information covering procedures and policies.

### **7-2-15-6**

The Purchasing Department shall constantly seek, and be on the alert for any additional sources, or any new or competitive product, which would provide a better or less costly operation for the County.

### **7-2-15-7**

The Purchasing Department shall function to provide the most appropriate product or service for the use required, at the lowest cost, or best value, to the County, within sensible and logical guidelines, and as provided by law.

*(Amended 3-2-12 by Ordinance #03-02-12-01)*

### **7-2-15-8**

The Board of Commissioners recognize that additional customer service, products or warranty may be associated with a particular purchase and so creates a better “value” for the County than just price alone. Where a better value can be documented the purchase may be placed.

*(Added 3-2-12 by Ordinance #03-02-12-01)*

## **7-2-16 Chapter 16: Purchasing Schedule**

## **7-2-16-1**

The Board of Commissioners shall establish and revise as necessary a “Purchasing Schedule.” The Purchasing Schedule shall outline Purchase Order requirements and exceptions as well as bid/quote requirements. The Purchasing Schedule may be waived if approval is granted by the Board of Commissioners and approval is not otherwise inconsistent with state statute.

**Under \$5,000**

Purchase Order is **not** required

**Over \$5,000**

Purchase Order **is** required for materials, supplies, equipment etc. Exceptions: utility, services/repairs, attorney, consultant, engineer, architect, interpreter, land surveyor, insurance, rent, lease, and debt service.

**The following thresholds determine the level of bidding required per County policy.**

**Less than \$5,000**

**Department or Purchasing** must solicit **verbal or written quotes** from at least three (3) vendors if possible. Records must be maintained by department and should include item, date, price, and contact information.

**\$5,000 to \$24,999**

**Department or Purchasing** must solicit **written quotes** from at least three (3) vendors (if possible) known to provide the product/service. Records must be maintained and should include item, date, price, and contact information.

**\$25,000 to \$149,000**

**Purchasing** will invite **written quotes or proposals** from at least three (3) vendors (if possible) known to provide the product/service. Records must be maintained and should include item, date, price, and contact information

**\$150,000.00 and up**

**Purchasing** will invite competitive, sealed bids.

There are conditions and circumstances that may affect if and when quotes/bids are required such as services/repairs, computer hardware and software, special purchases, emergencies, sole source, etc. Contact the Purchasing Department for clarification.

Orders may not be artificially divided to avoid quoting, bidding, or purchase order requirements.

Municipality must have sufficient appropriation or fund balance before issuing a purchase order or executing a contract.

*(Amended 7-17-15 by Ordinance #07-17-15-14)*

*(Amended 6-23, 2017 by Ordinance #06-23-17-09)*

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