

ORDINANCE 2008-07

AN ORDINANCE AMENDING SECTIONS 1-8-2 AND 1-8-3 OF THE TOOELE COUNTY CODE, REVISING THE APPROVAL PROCESS AND REQUIREMENTS FOR PURCHASES

NOW, THEREFORE, BE IT ORDAINED BY THE LEGISLATIVE BODY OF TOOELE COUNTY, UTAH AS FOLLOWS:

SECTION I - PURPOSE. This ordinance is for the purpose of amending the sections of the Tooele County Code revising the approval process prior to purchase.

SECTION II - SECTIONS AMENDED. Sections 1-8-2 and 1-8-3 of the Tooele County Code are hereby amended to read as attached hereto, which attachment is, by this reference, made a part hereof.

SECTION III - REPEALER. Ordinances and resolutions in conflict herewith are hereby repealed to the extent of such conflict.

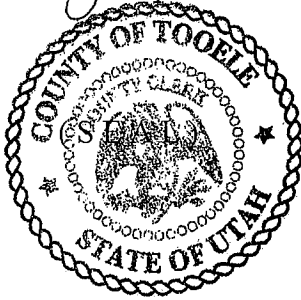
SECTION IV - EFFECTIVE DATE. This ordinance shall become effective 15 days after its passage provided it has been published, or at such publication date if more than 15 days after passage.

IN WITNESS WHEREOF the Tooele County Commission, which is the legislative body of Tooele County, passed, approved and enacted this ordinance this 12th day of February 2008.

Ord. 2008-07

ATTEST:


Marilyn K. Gillette, Clerk




TOOELE COUNTY COMMISSION:


Colleen S. Johnson, Chairman

Commissioner Johnson voted aye
Commissioner Clegg voted aye
Commissioner Hurst voted aye

APPROVED AS TO FORM:


DOUG HOGAN
Tooele County Attorney

TITLE 1

GENERAL PROVISIONS

COUNTY PURCHASING POLICY AND PROCEDURES

1-8-2. Approval of purchases.

(1) Department Heads or Elected Officers may authorize the purchase of supplies, equipment, materials, or services for their department after obtaining prior approval from the Auditor or purchasing authority for amounts of less than \$1,000, provided said procurement is within the budget of said department.

(2) For purchases of \$1,000 to \$4,999, prior authorization shall be required by the responsible Department Head or Elected Officer, one County Commissioner, and the Auditor.

(3) For purchases of \$5,000 to \$10,000, prior authorization shall be required by the responsible Department Head or Elected Officer, two County Commissioners, and the Auditor.

(4) For purchases of \$10,000 or more, prior authorization shall be required by the responsible Department Head or Elected Officer, three County Commissioners, and the Auditor.

(5) Any person who commits or expends County funds for purchases that do not comply with the provisions of this chapter may be held personally responsible for the payment of the unauthorized procurement, however, it shall not constitute a criminal offense to fail to comply with said procedures or the provisions of this chapter.

(6) The County Commission, with approval of the County Auditor, may designate a purchasing authority who, under the general direction of the Auditor, will act as a purchasing agent for the County.

1-8-3. Competitive bid requirements.

(1) When a purchase is made which is expected to be \$1,000 or more, but less than \$10,000, the Department Head or Elected Officer shall, under the direction of the Auditor or purchasing authority, obtain three (3) bids or proposals for the item or service to be purchased, from separate sources, which bids need not be in writing. Said bids or proposals shall be recorded by the Department Head or purchasing authority and kept as an official record of the County. Said official record shall include the name of the person or firm the bid or proposal was obtained from, the date of the bid, the name of the person who gave the bid, the item or service bid on, and the bid amount.

(2) When a purchase is made which is expected to be \$10,000 or more, the Department Head or Elected Officer shall prepare written specifications for said

procurement and have said specifications approved by the Board of County Commissioners prior to obtaining bids or proposals. The Commission may also designate the manner in which bids shall be obtained and awarded. When the County Commission does not require public advertisement for sealed bids, the Department Head or Elected Officer shall, under the direction of the Auditor or purchasing authority, obtain at least three written bids or proposals from separate sources. The person or firm who submits the lowest bid or proposal that meets the approved specifications shall be awarded the bid, unless the Tooele County Commission authorizes the acceptance of another bid or proposal that it determines to be in the best interest of the County. The County Commission may waive the foregoing bid procedures if it determines that there is only one source that can meet the procurement requirements, or if the service to be acquired is considered to be professional or technical services. A summary of the bids or proposals received shall be submitted with each purchase order.

(3) This chapter does not specify the additional requirements of Utah State Law for County purchases of stationery (§17-15-6 et. seq. U.C.A.); construction of buildings or bridges where the expenditure exceeds \$25,000 (§17-15-3 U.C.A.); construction of roads exceeding \$100,000 in labor and materials (§27-12-108.1 and §27-12-108.2); or other bidding requirements as from time to time may be required by Utah Law. The County Attorney should be consulted prior to proceeding with procurement of these specified items or other large procurements.

(4) The County Commission will not generally permit a sole source procurement of a particular proprietary item if there is more than one potential bidder or offeror for that item or service.

(5) Purchases shall not be artificially divided so as to avoid the bid requirements of this Section.