

RESOLUTION NO. R03-10-102

A RESOLUTION AUTHORIZING THE MID-AMERICA REGIONAL COUNCIL'S EXECUTIVE BOARD TO AWARD CONTACTS IN BEHALF OF MIAMI COUNTY, KANSAS.

WHEREAS, Miami County, Kansas is a county municipal government with the power of home rule, pursuant to K.S.A. 19-10 *et seq.*, and the County Commission is the legislative and governing body of said municipality; and

WHEREAS, Miami County has become a member of the Mid-America Regional Council/Kansas City Regional Purchasing Cooperative in an effort to save public funds by purchasing necessary supplies and items through said Cooperative.

IT IS HEREBY THE FINDING OF THE BOARD OF COUNTY COMMISSIONERS OF MIAMI COUNTY, KANSAS that it would be to the financial benefit of the County and its taxpayers that Miami County enter into an agreement and understanding with the Mid-America Regional Council authorizing Miami County's participation in the Kansas City Regional Purchasing Cooperative for the solicitation of items needed by Miami County and the periodic awarding of contracts to purchase such items in behalf of Miami County.

IT IS THE RESOLUTION OF AFORESAID BOARD that the Kansas City Regional Purchasing Cooperative, through the Mid-America Regional Council's Executive Board, is authorized to solicit bids and issue and award contracts in behalf of Miami County on a periodic basis for those items necessary for the functioning of County government, subject to the County Administrator or his/her designee approving each individual contract prior to the award of a contract in behalf of Miami County.

RESOLVED THIS 13TH DAY OF OCTOBER, 2003.



ATTEST

Kathy Peckman
KATHY PECKMAN, County Clerk

APPROVED AS TO FORM:

David R. Heger
DAVID R. HEGER, County Counselor

BOARD OF COUNTY COMMISSIONERS
MIAMI COUNTY, KANSAS

Arthur Godfrey
ARTHUR GODFREY, DVM, Chairman

W. R. Butler
W. R. BUTLER, Chairman Pro-tem

James E. Wise
JAMES E. WISE, Commissioner

Patton M. Apple
PATTON M. APPLE, Commissioner

Lyle Wobker
LYLE WOBKER, Commissioner

RESOLUTION NO. R03-08-084

A RESOLUTION OF MIAMI COUNTY, KANSAS PROVIDING THAT SAID COUNTY PURCHASE GOODS AND SERVICES PURSUANT TO COMPETITIVE PURCHASING PROCEDURES UNDER THE DIRECTION OF THE COUNTY DEPARTMENT OF ADMINISTRATION;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI COUNTY, KANSAS that:

Section 1. Resolution No. R00-02-024 is hereby repealed with the adoption of this Resolution.

Section 2. All supplies equipment and services acquired for Miami County, for each and every office and department thereof, and for each and every elected official, regardless of the source of funds used to make the acquisition, shall be acquired in accordance with this Resolution and the policies and procedures established pursuant to it.

- A. Each purchase, including acquisitions by rental, lease, and lease/purchase, in an amount exceeding \$10,000.00 shall be offered to responsible vendors by sealed bid/proposal prior to issuing a purchase order or contract for said goods or services, and said purchase order or contract shall be awarded to a qualified vendor submitting the lowest responsible bid or best proposal as determined by the Board of County Commissioners after review of all vendor proposals and recommendation by the user department and Department of Administration subject only to the exceptions provided in this Resolution.
- B. Each purchase, including acquisitions by rental, lease, and lease/purchase, in amount exceeding \$750.00 but not more than \$10,000.00 shall be offered to responsible vendors by informal bid/proposal prior to issuing a purchase order or contract for said goods or services, and said purchase order or contract shall be awarded to the vendor submitting the lowest responsible bid or best proposal as determined by the Department of Administration subject only to the exceptions provided in this resolution.
- C. Each purchase, including acquisitions of vehicles or equipment by rental or lease for a temporary period, in an amount not exceeding \$750.00 may be made by the user department using a county-issued credit or procurement card in accordance with established policy governing the use of credit cards or by the Purchasing Department using procedures established pursuant to this Resolution.

Section 3. Requirements that purchases be offered to multiple vendors may be waived by the Department of Administration under any of the following conditions.

Emergencies. Competitive bid/proposal requirements may be waived when unexpected or unforeseen events may cause serious financial loss to public or private property, endanger the health or lives of the citizens of Miami County, or have economic impact on County Business unless immediate action is taken to purchase said goods or services.

Public Exigency. Competitive bid/proposal requirements may be waived by the County Administrator when after advertising for bids, no bids are received, and the needs of the County warrant purchasing said goods or services without delay while awaiting additional advertising for bids. The Department of Administration is authorized to negotiate said purchases subject to approval by the Board of County Commissioners for purchases in excess of \$10,000.00, and subject to approval by the County Administrator for purchases in excess of \$750.00 but not more than \$10,000.00.

Sole Source. Competitive bid/proposal requirements may be waived for the procurement of items or services that are generally available only from one manufacturer, publisher, local distributor, or dealer and for which there is no basis for expecting multiple vendors to bid on said items. The Department of

Administration is authorized to negotiate said purchases subject to approval by the Board of County Commissioners for purchases in excess of \$10,000.00 and subject to approval by the County Administrator for purchases in excess of \$750.00 but not exceeding \$10,000.00.

Joint Governmental Purchases. Competitive bid/proposal may be waived when purchases are made in cooperation with other city, county, state, or federal agencies and it is deemed to be in the best interest of the County to purchase supplies, services and equipment from contracts and agreements of other governmental agencies. Such joint purchases in excess of \$10,000.00 shall be approved by the Board of County Commissioners, and such joint purchases in excess of \$750.00, but not exceeding \$10,000.00 shall be approved by the County Administrator.

Trade/Barter. Competitive bid/proposal requirements may be waived when procuring goods or services by either trade or barter in an amount less than \$10,000.00 and it is in the best interest of the County to procure goods or services in such a manner. Whenever it is goods or services by trade or barter such procurement shall be made in accordance with policies and procedures established by the Department of Administration and subject to approval by the County Administrator.

Section 4. All requests for bids/proposals shall be advertised at the discretion of the Department of Administration. Competitive sealed bids/proposals shall be opened at a time and place specified pursuant to said public notice. The Department of Administration shall make the determination as to whether purchases subject to this resolution shall be made by requests for bids or requests for proposals. The following definitions shall apply for purposes of this Resolution:

- A. Competitive Bid. Bids shall be evaluated based on the requirements set forth in the request for bids/quotations, which may include criteria to determine acceptability such as inspection, testing, quality, workmanship, delivery, and suitability for a particular purpose. Those criteria that will affect the bid price and be considered in evaluation for award shall be objectively measurable, such as discounts, transportation costs and total or life cycle costs, and be specifically set forth in the request for bids/quotations.
- B. Competitive Proposal. Proposals shall be evaluated based upon criteria formulated around the most important features of a product or service, of which quality, availability or capability may be overriding factors and price may not be determinative in the issuance of a contract or award. The proposal evaluation criteria should be viewed as standards that measure how well a vendor's approach meets the desired requirements and needs of the County. Those criteria that will be used and considered in evaluation for award shall be specifically set forth in the request for proposal. Contracts shall be awarded to a qualified vendor submitting the best proposal.

Section 5. Pursuant to and in conjunction with this Resolution, the County Administrator shall develop policies and procedures governing the purchase of all goods and services for Miami County. The policies promulgated by the Department of Administration shall be consistent with this Resolution. The County Administrator is furthermore given the authority to sign contracts for goods and services, subject to approval as to form by the County Counselor.

Section 6. The County Administrator, subject to authorization by its Board of County Commissioners, shall have the authority at any time to reject any and all bids/proposals under \$10,000, when it is deemed in the best interest of the County. In those instances where after advertising for bids/proposals, those bids/proposals received exceed the budgeted amount, the Department of Administration is authorized to negotiate for purchases with the responsive low bidder or best proposal to bring such bids/proposals within the budgeted amounts.

Section 7. The Department of Administration shall, within one week of the date of purchase, notify the Board of County Commissioners of each purchase in excess of \$750.00 but not more than \$10,000.00. The notification shall include the good or service purchased, amount of purchase, name of user department, number of bids/proposals received, and if competitive bid/proposals were waived pursuant to Section 4 of this Resolution an explanation of the condition resulting in the waiver.

Section 8. Whenever pursuant to this Resolution duties or responsibilities are assigned to the Department of Administration. The County Administrator may delegate the duties or responsibilities to a subordinate.

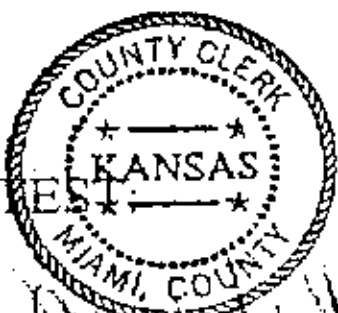
Section 9. Notwithstanding any other provision to the contrary, the following provisions shall govern the procurement of professional services.

- A. Professional services. Competitive bids/proposals are unnecessary for contracts for professional services. Professional Services shall generally be defined as services provided and performed by individuals or firms where a certification mandated by local, state or federal government is required. Examples of said services include but are not limited to architectural, engineering, specialized consulting, accounting, and medical services. Contracts for professional services in excess of \$10,000 shall be subject to approval by the Board of County Commissioners.
- B. Legal professional services. Competitive bids/proposals are unnecessary for contracts for legal professional services. Legal professional services are defined as services provided and performed by licensed attorneys or law firms (including support staff) in representing or advising the Board of County Commissioners or any agent or employee of Miami County. All contracts for legal professional services must be approved by the County Counselor, except however, the Board of County Commissioners has authority to contract legal professional services without approval of the County Counselor.

Miami County as a duly organized county within the State of Kansas sets forth the above Resolution in compliance with applicable state Statutes to establish guidelines for the purchase of quality goods and services at favorable prices. The Miami County Purchasing Policy and Procedures Manual, attached as Addendum A, will be utilized in conjunction with this Resolution. Said Addendum states specific procedures to be followed to ensure compliance with the requirements established herein.

ADOPTED this 25 day of August 2003.

ATTEST



[Signature]
County Clerk

BOARD OF MIAMI COUNTY COMMISSIONERS
OF MIAMI COUNTY, KANSAS

[Signature]
Arthur Godfrey, DVM - Chair

[Signature]
W.R. Butler, Chair Pro-tem

[Signature]
James E. Wise, Commissioner

[Signature]
Lyle Wobker, Commissioner

[Signature]
Patton M. Apple

APPROVED AS TO FORM:

[Signature]
County Counselor