

**AN ORDINANCE TO PROVIDE FOR THE BOARD OF COMMISSIONERS TO
PURCHASE PROPERTY BOTH REAL AND PERSONAL;
TO PROHIBIT COUNTY EMPLOYEES FROM SELLING PROPERTY OR SERVICES
TO THE COUNTY;
TO PROVIDE FOR REPEAL OF CONFLICTING ORDINANCE;
TO PROVIDE FOR AN EFFECTIVE DATE;
AND FOR OTHER PURPOSES**

This Ordinance revises that Purchasing Ordinance Dated April 20, 2010.

BE IT ORDAINED by the Board of Commissioners of Crawford County, Georgia and it is hereby ordained by authority of the same as follows:

WHEREAS, the Crawford County Commission desires to ensure that the purchasing of personal property, real property and needed services is done in a lawful and competitive manner;

THEREFORE, BE IT RESOLVED that the Crawford County Administrator shall establish, maintain and provide for review by the Crawford County Commissioners a standard operating policy hereby incorporated as a part of this resolution hereafter referred to as the Crawford County Purchasing Ordinance:

AWARDING CONTRACTS BY BID:

Purpose. The purpose of this document is to establish a procedure for the calling and awarding of bids for services, purchases of personal property including equipment rentals, and purchases of real property.

Duties. The County Administrator will be responsible for ensuring that all outlined procedures are followed prior to the issuance and acceptance of a bid for the above stated services, personal property or real property.

PROCEDURE FOR BIDS GREATER THAN SEVEN THOUSAND FIVE HUNDRED DOLLARS (\$7,500):

The County Administrator, at the direction of the Commissioners authorizing the calling for bids, shall:

- (a) Obtain the details and specifications of the extent and character of the work to be done or the item to be obtained, and the terms and times of payment. These specifications shall be as detailed as possible and will set the minimum criteria, which must be met by all who wish to bid.
- (b) The County Clerk will post on the Courthouse Bulletin Board and the County Commissioners' Office Bulletin Board a copy of the notification to bid and will advertise once a week for two weeks in the legal organ of the county.
- (c) Bids shall be opened at the public meeting on the day set forth in the notification to bid. The Administrator shall certify that these bids were publicly opened at the

time and place stated in the letter. The Administrator shall then prepare a tabulation of the bids and make a recommendation to the Commission.

- (d) The Commission shall then vote and award the contract based on the criteria presented at the meeting. The Commission reserves the right to accept or reject any or all bids for work submitted to them. **The Commission further reserves the right to negotiate with any and all bidders to better serve the taxpayers.**
- (e) The Administrator shall notify by certified mail or phone the winning bidder.
- (f) Vendors who have failed to meet prior contractual obligations or who have been in the Commission's opinion, stubbornly litigious may be considered unacceptable.
- (g) No vendor shall be discriminated against because of race, color, sex, age or national origin.
- (h) Exceptions to bid requirements:
 - (1) In emergency situation, otherwise affecting or potentially affecting the health, welfare, or property of the County, or its occupants, the County Administrator, may in his or her discretion, authorize those actions necessary to prevent further immediate or imminent harm under the totality of the circumstances. All other emergency, special and/or regular called meeting requirements apply.
 - (2) In situations involving expenditures of over \$7,500.00 as part of a greater project, for which bid process delay would be otherwise detrimental to project and likely lead to fines or other penalties. All other emergency and special called meeting requirements apply. In example, additional erosion and/or sediment control requirements as part of an ongoing road project previously unforeseen that cost more than \$10,000 and for which delay could result in increased damage and daily EPD fines, the County Administrator may authorize, subject to emergency, special or regular meeting requirements, the needed services.
 - (3) In situations involving unique or specialized products or services, as determined by the County Administrator, expenditures of greater than \$7,500 may be authorized without said bid requirement. In example, needed test wells for county water system maintenance, involving requirements unique to testing not otherwise generally known to the well drilling industry.

PROCEDURE FOR QUOTES CONCERNING EXPENDITURES OF LESS THAN SEVEN THOUSAND FIVE HUNDRED DOLLARS (\$7,500):

The County Administrator, at the direction of the Commissioners authorizing the calling for quotes, shall:

Contract, upon receipt of verbal or faxed proposals when the goods to be purchased are of the type generally available on the open market, and can be purchased at prevailing market prices. The County Administrator shall use his discretion in determining the number or quality of proposals received under the totality of the circumstances including any exigencies for the needed product or service. **The County Administrator further reserves the right to negotiate any and all proposals to better serve the taxpayers.**

PROCEDURE FOR BIDS RELATING TO CONTRACTING FOR PUBLIC WORKS PROJECTS:

All public works projects shall be subject to the requirements of O.C.G.A. 36-91-1, *et seq.* Notwithstanding the broad authorities provided under state law, the County will undertake the above procedures for any project, public works included, for those projects of \$7,500.00 or greater. **The Commission further reserves the right to negotiate with any and all bidders to better serve the taxpayers.**

PROCEDURE FOR THE PURCHASE OF REAL PROPERTY:

The County Administrator, at the direction of the Commissioners authorizing the calling for bids, shall:

- 1.) Obtain the details and specifications of the needed real property with any special stipulations (i.e. road access, mineral or material consistency, size, etc...) required by the Board of Commissioners. These specifications shall be as detailed as possible and will set the minimum criteria, which must be met by all who wish to bid.
- 2.) The County Clerk will post on the Courthouse Bulletin Board and the County Commissioners' Office Bulletin Board a copy of the notification to bid and will advertise once a week for two weeks in the legal organ of the county.
- 3.) Bids shall be opened at the public meeting on the day set forth in the notification to bid and if so noted in the advertisement may require the presence of the bidder at the meeting, otherwise any opportunity to negotiate will be lost. The Administrator shall certify that these bids were publicly opened at the time and place stated in the letter. The Administrator shall then prepare a tabulation of the bids and make a recommendation to the Commission.
- 4.) The Commission shall then discuss any price negotiations to be had with any seller who is present and wants the Commission to consider a reduced offer after which point the Commission shall vote as to which of the offered parcels it shall consider for purchase and in which order taking price per acre and number of acres into consideration chiefly. **The Commission further reserves the right to negotiate with any and all bidders to better serve the taxpayers.**
- 5.) The Commission shall then authorize any necessary site testing upon the lands so chosen for final consideration for purchase. The Commission reserves the right to accept or reject any or all bids for work submitted to them.

- 7.) Vendors who have failed to meet prior contractual obligations or who have been in the Commission's opinion, stubbornly litigious may be considered unacceptable.
- 8.) No vendor shall be discriminated against because of race, color, sex, age or national origin.

BE IT FURTHER ORDAINED that all Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

BE IT FURTHER ORDAINED that this Ordinance shall become effective upon the adoption thereof by the governing body of Crawford County.

SO ORDAINED, this 15 day of JUNE, 2010.

**Board of Commissioners
of Crawford County, Georgia**

By: _____

Chairman

Attest: _____

County Manager