

RESOLUTION 19-6-25-002

**A RESOLUTION TO ADOPT THE KOSCIUSKO
COUNTY PROCUREMENT POLICY**

WHEREAS, the Board of Commissioners (the "Board") of Kosciusko County, Indiana (the "County") is charged with the responsibility of overseeing the purchases made by the County and by its various departments, agencies, and commissions; and

WHEREAS, the Board wishes to provide uniform procedures to be used by the County and by the departments, agencies, and offices of the County; and

WHEREAS, the Board believes that the document entitled *Kosciusko County Procurement Policy* (the "*Procurement Policy*") and attached hereto as *Exhibit A* does provide for such uniform procedures; and

WHEREAS, the Board believes that adoption of the *Procurement Policy* will further the County's interests in accomplishing cost-effective purchasing and in providing for fair competition.

NOW, THEREFORE, BE IT RESOLVED that the document entitled *Kosciusko County Procurement Policy* and attached hereto as *Exhibit A* is hereby **ADOPTED**.

on September 1, 2019

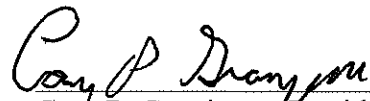
THIS RESOLUTION shall be in full force and effect ~~immediately upon passage~~ and any previously enacted ordinances or resolutions of this Board containing provisions materially conflicting or inconsistent with the terms of the *Procurement Policy* adopted hereunder are hereby rescinded and repealed to the extent of any such conflict or inconsistency.


DULY ADOPTED this 25th day of June, 2019.

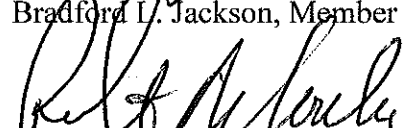
ATTEST:

BOARD OF COMMISSIONERS,
Kosciusko County, Indiana


Michelle Puckett, Auditor


Cary P. Groninger, President


Bradford L. Jackson, Member


Robert M. Conley, Member

KOSCIUSKO COUNTY PROCUREMENT POLICY

SECTION 1. PURPOSE, SCOPE, AND EFFECTIVE PERIOD.

Section 1.01. Purpose.

The purpose of this policy is to provide uniform procurement procedures to be used by the County of Kosciusko, Indiana and by the departments, agencies, and offices of the County. Additionally, this policy should enable consistency both over time and amongst the various units and should also enable the County to remain compliant with the various State and Federal laws to which the County is subject.

This policy is intended to supplement Indiana Code Title 5, Chapter 22 (Public Purchasing) and Title 2 of the Code of Federal Regulations, Part 200 (Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards) and should be interpreted and applied in a fashion consistent with that intention. In the event that a conflict should arise between this policy and any State or Federal law, the State or Federal laws at issue shall be treated as the controlling authority.

Section 1.02. Scope.

This policy shall apply to purchases made by the County of Kosciusko, Indiana and also to purchases made by the departments, offices, and agencies of the County. In general, purchases of supplies, capital assets and equipment, and most other routine purchases will be subject to this policy; however, pursuant to IC 5-22-1-3 (Excluded items; exceptions) this policy does not apply to (i) contracts between the County and another governmental body (except as authorized pursuant to IC 5-22 (Public Purchasing)), (ii) public works projects, (iii) collective bargaining agreements between the County and its employees, (iv) employment relationships between the County and its employees, (v) investments of public funds, (vi) contracts between the County and a body corporate and politic, and (vii) contracts for social services.

Section 1.03. Effective Period.

This policy shall take effect on September 1, 2019 and shall continue in effect indefinitely or until such time as this policy is amended or repealed and replaced by a subsequent procurement policy. This policy and the underlying State and Federal laws should be reviewed periodically and this policy should be updated and revised as necessary.

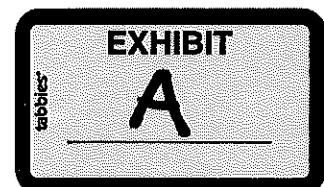
SECTION 2. DEFINED TERMS.

Section 2.01. Act.

For purposes of this policy, the term "Act" shall mean IC 5-22 (Public Purchasing).

Section 2.02. Board.

For purposes of this policy, the term "Board" shall mean the Board of Commissioners of Kosciusko County, Indiana.



Section 2.03. Purchase.

For purposes of this policy, the term "Purchase" shall mean to buy, procure, rent, lease, or otherwise acquire and shall include the following activities: (1) description of requirements, (2) solicitation or selection of sources, (3) preparation and award of contract, (4) all phases of contract administration, and (5) all functions that pertain to purchasing. However, the term Purchase shall not apply to the following: (1) public works as defined and governed by Indiana Code § 36-1-12-1 *et seq.*, (2) contracts between governmental bodies, except contracts authorized under Indiana Code Title 5, Chapter 22, (3) employment relationships between the County (including the Departments thereof) and an employee, (4) investments of public funds, and (5) contracts between a governmental body and a body corporate and politic.

Section 2.04. Purchasing Agency.

For purposes of this policy, the term "Purchasing Agency" shall mean a governmental body that is authorized to enter into contracts by this article, rules adopted under this article, or by another law.

Section 2.05. Purchasing Agent.

For purposes of this policy, the term "Purchasing Agent" shall mean an individual authorized by a purchasing agency to act as an agent for the purchasing agency in the administration of the duties of the purchasing agency.

Section 2.06. Small Purchase.

For purposes of this policy, the term "Small Purchase" shall mean a Purchase that is for an amount that is less than One Hundred and Fifty Thousand Dollars (\$150,000.00).

Section 2.07. Special Purchase.

For purposes of this policy, the term "Special Purchase" shall mean a purchase authorized under IC 5-22-10 (Special Purchasing Methods) and set forth herein under Section 3.06 (Special Purchasing Methods).

Section 2.08. Other Terms.

Other terms used in this policy shall be assumed to have the same meaning as they are given in IC 5-22.

SECTION 3. PURCHASING PROCEDURES.**Section 3.01. Purchases Must be Supported by Appropriation.**

Each Purchase must be supported by an available and unencumbered appropriation before legally obligating the County to the Purchase. If the Purchasing Agent is uncertain as to the availability of an existing appropriation, either within his or her own office or department budget or within the budget of another office or department, the Purchasing Agent shall consult with the Board before initiating the solicitation process. In the event that an available and unencumbered appropriation does not exist, approval of an additional appropriation must be received from the Kosciusko County Council prior to initiation of the solicitation process. Purchasing Agents holding a position appointed by the Board shall request approval from the Board before

submission of a request for an additional appropriation to the Council. Elected officials may seek approval of an additional appropriation from the Kosciusko County Council without first requesting approval of the same from the Board.

Section 3.02. Purchase of Services.

- a. In General.** Services may be purchased by any means that have been approved by the Board and that protect the interests of the County while also providing for fair competition and unless otherwise required by the Board or applicable law, a Purchasing Agent is not required to request any set number of quotes or to follow any specific process for requesting quotes. Each contract for services must be approved by the Board.
- b. Building Maintenance.** The County Administrator is authorized to hire service providers (such as plumbers, electricians, HVAC repairman, etc.) with respect to maintenance of the buildings owned by the County. The County Administrator may hire service providers utilizing such purchase methods as shall protect the interests of the County while also providing for fair competition. The County Administrator shall not be required to request any set number of quotes or to follow any specific process for requesting quotes when hiring service providers pursuant to this Sub-Section. In the event that the County Administrator reasonably expects that certain maintenance work may be accomplished for a cost of less than Seven Thousand Five Hundred Dollars (\$7,500.00) and without the necessity of entering into a contract, the County Administrator may proceed with hiring service providers to accomplish the work without obtaining approval from the Board. All other maintenance work should be approved by the Board prior to initiation.

Section 3.03. Small Purchases.

- a. Applicability.** This Section shall apply to those Purchases that a Purchasing Agent reasonably expects to be made for an amount less than One Hundred Fifty Thousand Dollars (\$150,000). In the event that a Purchasing Agent is uncertain with respect to the expected Purchase amount, the Purchasing Agent should assume the highest reasonably expectable amount. Purchases may not be artificially divided in an attempt to reduce the amount to be reasonably expected. Questions regarding the appropriately applicable Section or Sub-Section with respect to a given contemplated Purchase should be directed to the County Administrator who may then refer any such questions to the County Attorney if necessary.
- b. Applicable Statutes.** This Section is written in conformity with IC 5-22-8 (Small Purchases) and should be interpreted and applied in a fashion consistent therewith, including any revisions or amendments thereto.
- c. Routine Purchase of Supplies.** Supplies, such as office supplies and janitorial supplies, should be requisitioned from the County Administrator. The County Administrator is authorized to engage in the routine purchase of supplies utilizing such purchase methods as shall protect the interests of the County while also providing for fair competition. The County Administrator shall not be required to request any set number of quotes or to

follow any specific process for requesting quotes when purchasing supplies pursuant to this Sub-Section.

d. Purchase of Less Than Seven Thousand Five Hundred Dollars (\$7,500.00). A Purchase that a Purchasing Agent reasonably expects to be made for an amount less than Seven Thousand Five Hundred Dollars (\$7,500.00) shall be made pursuant to the following:

- i. Method for Inviting Quotes.** The Purchasing Agent shall request quotes from at least three (3) vendors, unless the Purchasing Agent is not able after diligent search to identify three (3) vendors dealing in the product to be purchased, in which case, the Purchasing Agent shall request quotes from as many vendors as may be identified. In the event that a quote request issued to a particular vendor is not responded to, the Purchasing Agent shall deem that vendor to have given a non-responsive quote and shall proceed accordingly, however, in any such event, the Purchasing Agent may also request additional quotes.
- ii. Means of Communication.** Quotes may be verbal or written and may be requested by way of telephone, tele-facsimile, mail, e-mail, or other appropriate means.
- iii. Process for Selection.** The Purchasing Agent may accept the quote of the lowest bidder without prior approval of the Board. If the Purchasing Agent believes that the lowest bidder is not the most responsive and responsible bidder, then the Purchasing Agent may reject all quotes or may submit the bids to the Board. The Board shall accept the quote submitted by the most responsive and responsible bidder. If the Board determines that the lowest bidder is not the most responsive and responsible bidder, the Board shall state its reasoning and the same shall be recorded in the minutes of the meeting. The Board may reject all quotes.
- iv. After Selection.** The Purchasing Agent shall promptly notify the successful bidder and conclude the Purchase.

e. Purchase of at Least Seven Thousand Five Hundred Dollars (\$7,500.00) But Less Than Fifty Thousand Dollars (\$50,000.00). A Purchase that a Purchasing Agent reasonably expects to be made for an amount of at least Seven Thousand Five Hundred Dollars (\$7,500.00) but less than Fifty Thousand Dollars (\$50,000.00) must receive prior approval of the Board and shall be made pursuant to the following:

- i. Method for Inviting Quotes.** After receiving approval from the Board, the Purchasing Agent shall transmit a solicitation inviting quotes to at least three (3) vendors, unless the Purchasing Agent is not able after diligent search to identify three (3) vendors dealing in the product to be purchased, in which case, the Purchasing Agent shall transmit solicitations to as many vendors as may be identified. In the event that a solicitation transmitted to a particular vendor is not responded to, the Purchasing Agent shall deem that vendor to have given a non-

responsive quote and shall proceed accordingly, however, in any such event, the Purchasing Agent may also request additional quotes.

ii. Means of Communication. Solicitations requesting quotes may be transmitted by way of tele-facsimile, mail or e-mail or by such other means as the Purchasing Agent may deem appropriate. Solicitations shall indicate where quotes should be delivered to and shall provide the day and time by which quotes must be received for consideration. Quotes must be received in writing.

iii. Process for Selection. The Purchasing Agent shall submit the quotes to the Board. The Board shall accept the quote submitted by the most responsive and responsible bidder. If the Board determines that the lowest bidder is not the most responsive and responsible bidder, the Board shall state its reasoning and the same shall be recorded in the minutes of the meeting. The Board may reject all quotes.

iv. After Selection. The Purchasing Agent shall promptly notify the successful bidder and conclude the Purchase.

f. Purchase of at Least Fifty Thousand Dollars (\$50,000.00) But Less Than One Hundred and Fifty Thousand Dollars (\$150,000.00). A Purchase that a Purchasing Agent reasonably expects to be made for an amount of at least Fifty Thousand Dollars (\$50,000.00) but less than One Hundred and Fifty Thousand Dollars (\$150,000.00) must receive prior approval of the Board and shall be made pursuant to the following:

i. Method for Inviting Bids. After receiving approval from the Board, the Purchasing Agent shall transmit a solicitation inviting bids to at least three (3) vendors, unless the Purchasing Agent is not able after diligent search to identify three (3) vendors dealing in the product to be purchased, in which case, the Purchasing Agent shall transmit solicitations to as many vendors as may be identified. In the event that a solicitation transmitted to a particular vendor is not responded to, the Purchasing Agent shall deem that vendor to have given a non-responsive bid and shall proceed accordingly, however, in any such event, the Purchasing Agent may also request additional bids.

ii. Means of Communication. Solicitations requesting bids shall be transmitted by mail. In addition to transmission by mail, the Purchasing Agent may transmit copies by way of tele-facsimile or e-mail or by such other means as the Purchasing Agent may deem appropriate. Solicitations shall indicate that bids must be delivered to the office of the Kosciusko County Auditor in an envelope appropriately labeled and sealed and shall provide the day and time by which bids must be received for consideration. Bids must be received in writing.

iii. Process for Selection. Bids shall be opened at a public meeting of the Board and the Board shall accept the bid submitted by the most responsive and responsible bidder. If the Board determines that the lowest bidder is not the most responsive

and responsible bidder, the Board shall state its reasoning and the same shall be recorded in the minutes of the meeting. The Board may reject all quotes.

- iv. After Selection.** The Purchasing Agent shall promptly notify the successful bidder and conclude the Purchase.

Section 3.04. Competitive Bidding.

- a. Applicability.** This Section shall apply to those Purchases that a Purchasing Agent reasonably expects to be made for an amount of One Hundred Fifty Thousand Dollars (\$150,000) or greater. Purchases may not be artificially divided so as to constitute a Small Purchase; however, should a Purchasing Agent wish to do so, the competitive bidding procedures set forth hereunder may be used instead of the procedures described in Section 3.03 (Small Purchases) for completing Small Purchases.
- b. Applicable Statutes.** This Section is written in conformity with IC 5-22-7 (Competitive Bidding) and should be interpreted and applied in a fashion consistent therewith, including any revisions or amendments thereto. In the event that a conflict should arise between this policy and IC 5-22-7, IC 5-22-7 shall be treated as the controlling authority.
- c. Method for Inviting Bids.**
- i. After receiving approval from the Board, the Purchasing Agent shall issue an invitation for bids.
 - ii. The invitation for bids must include the following:
 - (1) A purchase description.
 - (2) All contractual terms and conditions that apply to the purchase.
 - (3) A statement of the evaluation criteria that will be used, including any of the following: (A) inspection; (B) testing; (C) quality; (D) workmanship; (E) delivery; and/or (F) suitability for a particular purpose; along with a statement (per the requirement imposed under IC 5-22-3-5) that an offer submitted by a trust must identify all of the following: (1) each beneficiary of the trust and (2) each settlor empowered to revoke or modify the trust
 - (4) The time and place for opening the bids.
 - (5) A statement concerning whether the bid must be accompanied by a certified check or other evidence of financial responsibility that may be imposed in accordance with rules or policies of the governmental body.
 - (6) A statement concerning the conditions under which a bid may be canceled or rejected in whole or in part.

- d. Evaluation Criteria and Bid Evaluation.** Evaluation criteria that will (1) affect the bid price and (2) that will be considered in the evaluation for an award must be objectively measurable. Only criteria specified in the invitation for bids may be used in bid evaluation.
- e. Notice of invitation for bids.** The Purchasing Agency shall give notice of the invitation for bids in the manner required by IC 5-3-1. The Purchasing Agency may also provide electronic access to the notice.
- f. Public Opening of Bids.** Bids shall be opened at a public meeting of the Board that is held at the time and place designated in the invitation for bids and in the presence of one (1) or more witnesses.
- g. Bids; Acceptance; Evaluation.** Bids must be (1) unconditionally accepted without alteration or correction, except as provided in Sub-Section k (Prohibition of Changes After Bid Opening), Sub-Section l (Proposed Additions to Contract), and Sub-Section m (Acceptance of Proposed Additions to Contract; Permitted Changes to Requirements of Invitation for Bids), and (2) must be evaluated based on the requirements provided in the invitation for bids.
- h. Awarding of Contract.** A contract must be awarded with reasonable promptness by written notice to the lowest responsible and responsive bidder.
- i. Maintenance of Information by Purchasing Agency.** The Purchasing Agency shall maintain the following information (which information shall be subject to public inspection after each contract award): (1) the name of each bidder, (2) the amount of each bid, and (3) any other information required by IC 5-22 (Public Purchasing) and/or rules adopted thereunder.
- j. Correction or Withdrawal and Cancellation Due to Mistake.** The Board may allow the correction or withdrawal of an inadvertently erroneous bid before or after award. The Board may allow cancellation of an award or contract that is based on an inadvertently erroneous bid. A decision by the Board to allow correction, withdrawal, or cancellation shall be supported by a written determination by the Board.
- k. Prohibition of Changes After Bid Opening.** Changes in bid price or in any other provision of bids that would be prejudicial to the interest of the County or fair competition are prohibited after bid opening.
- l. Proposed Additions to Contract.** If a bidder inserts contract terms or bids on items not specified in the invitation for bids, the Board shall treat the additional material as a proposal for addition to the contract and may do any of the following:

- (1) Declare the bidder nonresponsive.

- (2) Permit the bidder to withdraw the proposed additions to the contract in order to meet the requirements and criteria provided in the invitation for bids.
- (3) Accept any of the proposed additions to the contract; however, the Board may not accept proposed additions to the contract that are prejudicial to the interest of the County or fair competition and a decision of the Board to permit a change to the requirements of the invitation for bids must be supported by a written determination by the Board.

m. Acceptance of Proposed Additions to Contract; Permitted Changes to Requirements of Invitation for Bids. The Board may not accept proposed additions to the contract that are prejudicial to the interest of the County or fair competition. A decision of the Board to permit a change to the requirements of the invitation for bids must be supported by a written determination by the Board.

Section 3.05. Request for Proposals.

- a. Applicability.** The applicability of this Section shall not be dependent upon purchase amount. This Section shall apply in those instances where the Purchasing Agent believes that the procedures involving the use of competitive sealed bids are not practical or are not advantageous to the County in the particular instance.
- b. Applicable Statutes.** This Section is written in conformity with IC 5-22-9 (Request for Proposals) and should be interpreted and applied in a fashion consistent therewith, including any revisions or amendments thereto.
- c. Request for Proposals; Contents.** After receiving approval from the Board, the Purchasing Agent shall solicit proposals through a request for proposals, which must include the following:
 - (1) The factors or criteria that will be used in evaluating the proposals.
 - (2) A statement concerning the relative importance of price and the other evaluation factors.
 - (3) A statement concerning whether the proposal must be accompanied by a certified check or other evidence of financial responsibility, which may be imposed in accordance with rules of the governmental body.
 - (4) A statement concerning whether discussions may be conducted with responsible offerors, who submit proposals determined to be reasonably susceptible of being selected for award.

- d. Public Notice of Request for Proposals.** The Purchasing Agency shall give public notice of the request for proposals in the manner required by IC 5-3-1. The Purchasing Agency may also provide electronic access to the notice.
- e. Opening of Proposals.** Proposals must be opened so as to avoid disclosure of contents to competing offerors during the process of negotiation.
- f. Register of Proposals; Contents.** A register of proposals must be prepared and open for public inspection after contract award. The register of proposals must contain the following:
- (1) A copy of the request for proposals.
 - (2) A list of all persons to whom copies of the request for proposals were given.
 - (3) A list of all proposals received, which must include all of the following:
 - (A) The names and addresses of all offerors.
 - (B) The dollar amount of each offer.
 - (C) The name of the successful offeror and the dollar amount of that offeror's offer.
 - (4) The basis on which the award was made.
 - (5) The entire contents of the contract file except for proprietary information included with an offer, such as trade secrets, manufacturing processes, and financial information that was not required to be made available for public inspection by the terms of the request for proposals.
- g. Responsible Offerors; Discussions; Final Offers.** As provided in the request for proposals or under the rules or policies of the governmental body, discussions may be conducted with, and best and final offers obtained from, responsible offerors who submit proposals determined to be reasonably susceptible of being selected for award.
- h. Award.** Award shall be made by the Board to the responsible offeror whose proposal is determined in writing to be the most advantageous to the County, taking into consideration price and the other evaluation factors set forth in the request for proposals. If provided in the request for proposals, award may be made to more than one (1) offeror whose proposals are determined in writing to be advantageous to the County, taking into consideration price and other evaluation factors set forth in the request for proposals.
- i. Fair and equal treatment of offerors.** Offerors must be accorded fair and equal treatment with respect to any opportunity for discussion and revisions of proposals. In conducting discussions with an offeror, information derived from proposals submitted by

competing offerors may be used in discussion only if the identity of the offeror providing the information is not disclosed to others. The Purchasing Agency must provide equivalent information to all offerors with which the Purchasing Agency chooses to have discussions.

- j. **Evaluation; Factors and Criteria.** The only factors or criteria that may be used in the evaluation of proposals are those specified in the request for proposals.

Section 3.06. Special Purchasing Methods.

- a. **Applicability.** The applicability of this Section shall not be dependent upon purchase amount. This Section shall apply to Special Purchases as set forth below.
- b. **Applicable Statutes.** This Section is written in conformity with IC 5-22-10 (Special Purchasing Methods) and should be interpreted and applied in a fashion consistent therewith, including any revisions or amendments thereto.
- c. **In General.** A special purchase must be made with such competition as is practicable under the circumstances. A Purchasing Agent shall maintain the contract records for special purchases in a separate file. A Purchasing Agent shall include in the contract file a written determination of the basis for the special purchase and the selection of a particular contractor. Notwithstanding any other law, the Purchasing Agent shall maintain a record listing all contracts made pursuant to a special purchase for a minimum of five (5) years. The record must contain the following information:

- (1) Each contractor's name.
- (2) The amount and type of each contract.
- (3) A description of the supplies purchased under each contract.

Note that the contract records for a special purchase are subject to audit by the state board of accounts.

- d. **Emergency Conditions.** The Board or a Purchasing Agent that has been authorized by the Board may make a special purchase when there exists, under emergency conditions, a threat to public health, welfare, or safety.
- e. **Savings to Governmental Body.** The Board or a Purchasing Agent that has been authorized by the Board may make a special purchase when there exists a unique opportunity to obtain supplies or services at a substantial savings to the County.
- f. **Auctions.** The Board or a Purchasing Agent that has been authorized by the Board may make a special purchase at an auction.

- g. Data Processing Contract or License Agreements.** The Board or a Purchasing Agent that has been authorized by the Board may make a special purchase of data processing contracts or license agreements for: (i) software programs; or (ii) supplies or services, when only one (1) source meets the using agency's reasonable requirements.
- h. Compatibility of Equipment, Accessories, or Replacement Parts.** The Board or a Purchasing Agent that has been authorized by the Board may make a special purchase when: (i) the compatibility of equipment, accessories, or replacement parts is a substantial consideration in the purchase; and (ii) only one (1) source meets the using agency's reasonable requirements.
- i. Purchasing Method Impairs Functioning of Agency.** The Board or a Purchasing Agent that has been authorized by the Board may make a special purchase when purchase of the required supplies or services under another purchasing method under IC 5-22 (Public Purchasing) would seriously impair the functioning of the using agency.
- j. No Offer Received Under Other Purchasing Method.** The Board or a Purchasing Agent that has been authorized by the Board may make a special purchase when the Purchasing Agency has solicited for a purchase under another purchasing method described in IC 5-22 (Public Purchasing) and has not received a responsive offer.
- k. Evaluation of Supplies or System Containing Supplies.** The Board or a Purchasing Agent that has been authorized by the Board may make a special purchase for the evaluation of supplies or a system containing supplies for any of the following reasons:

 - i. To obtain:

 - (1) functional information; or
 - (2) comparative data.
 - ii. For a purpose that in the judgment of the Purchasing Agent may advance the long-term competitive position of the County.
- l. Governmental Discount Available.** The Board or a Purchasing Agent that has been authorized by the Board may make a special purchase when the market structure is based on price but the County is able to receive a dollar or percentage discount of the established price.
- m. Single Source for Supply; Award of Contract.** Subject to Sub-Section n (General Services Administration Price) and Sub-Section o (Purchase From Person Who Has Contract With Federal Agency), a Purchasing Agent may award a contract for a supply when there is only one (1) source for the supply and the purchasing agent determines in writing that there is only one (1) source for the supply.

- n. General Services Administration Price.** The Board or a Purchasing Agent that has been authorized by the Board may make a special purchase from a person when the Board or the Purchasing Agent determines in writing that:
- i. supplies can be purchased from the person or the person's authorized representative at prices equal to or less than the prices stipulated in current federal supply service schedules established by the federal General Services Administration; and
 - ii. It is advantageous to the County's interest in efficiency and economy.
- o. Purchase From Person who has Contract with Federal Agency.** The Board or a Purchasing Agent that has been authorized by the Board may purchase supplies if the purchase is made from a person who has a contract with a federal agency and the person's contract with the federal agency requires the person to make the supplies available to the state or political subdivisions. The Board or a Purchasing Agent that has been authorized by the Board may purchase supplies if the purchase is made from a person who has a contract with a state agency and the person's contract with the state requires the person to make the supplies or services available to political subdivisions, as provided in IC 4-13-1.6 or IC 5-22-17-9.
- p. Acquisition of Supplies Through Transfer From Federal Government.**
- i. The Board or a Purchasing Agent that has been authorized by the Board may acquire supplies if the Board or the Purchasing Agent determines that the County can obtain the transfer of the supplies from the federal government under IC 4-13-1.7 at a cost less than would be obtained from purchase of the supplies by soliciting for bids or proposals.
 - ii. The County may not make a purchase under this section if title to the property will be transferred to the County before a sufficient appropriation to pay the costs of the purchase is appropriated. However, if the supplies will be transferred to the governmental body upon conditional sale or under a lease, a lease with option to purchase, or a contract for the use of the supplies, the County may make the purchase under this section if there are sufficient funds appropriated to pay the consideration required for one (1) year of the agreement.
 - iii. The Board or a Purchasing Agent who purchases or leases surplus federal materials shall, at the time of the purchase or lease, or immediately thereafter, give public notice in accordance with IC 5-3-1.
- q. Acquisition of Supplies Through Acceptance of Gift.** The Board or a Purchasing Agent that has been authorized by the Board may acquire supplies by accepting a gift for the County.

- r. **Purchase From Public Utility Following Independent Appraisal.** The Board or a Purchasing Agent that has been authorized by the Board may make a special purchase from a public utility if the purchase or lease price is a negotiated price that considers the results of an independent appraisal that the Board or the Purchasing Agency obtains and an independent appraisal that the public utility obtains.

I affirm, under the penalties for perjury,
that I have taken reasonable care to redact
each Social Security number in this
document, unless required by law.
Teena Pence