

ORDINANCE NUMBER 1 - 2022

COUNTY OF FRANKLIN, KENTUCKY

AN ORDINANCE AMENDING THE OPERATION OF COUNTY FISCAL COURT, CHAPTER 30 ADMINISTRATIVE CODE (PURCHASES AND CONTRACTS), SECTION .118 (PROCEDURES PREREQUISITE TO USE OF NEGOTIATED PROCESS) AND SECTION .120 (SMALL PURCHASE PROCEDURES) OF THE FRANKLIN COUNTY CODE OF ORDINANCES BY SETTING A FIXED MINIMUM AMOUNT FOR THE NEGOTIATED AND BID PROCESS REQUIREMENTS

WHEREAS, the Franklin County Code of Ordinances Chapter 30 Administrative Code: Purchases and Contracts sets forth the prerequisite procedures for the negotiated process and the minimum bid amount; and

NOW, THEREFORE, BE IT ORDAINED BY THE FISCAL COURT OF THE COUNTY OF FRANKLIN, COMMONWEALTH OF KENTUCKY, THAT:

SECTION I. The Code of Ordinances, Chapter 30 Administrative Code, is hereby amended to the following:

§ 30.118 PROCEDURES PREREQUISITE TO USE OF NEGOTIATED PROCESS.

(A) The negotiated process may be used instead of advertisement for bids if the amount exceeds ~~\$20,000~~ \$22,000 in the following circumstances:

- (1) An emergency exists; and
- (2) All bids received exceed the amount budgeted.

(B) Before an emergency is declared, the County Judge/Executive shall determine whether or not a delay in obtaining bids will result in danger to health, safety or property.

(C) The County Judge/Executive shall certify the existence of any emergency and file a copy of such certificate with the Chief Financial Officer of the county.

§ 30.120 SMALL PURCHASE PROCEDURES.

(A) With prior approval of the County Judge/Executive or designee, authorized persons may purchase for their respective departments any supplies, services and the like at a cost of \$5,000 or less. However, a purchase order or vendor's billing for the purchase shall be submitted to the County Judge/ Executive for review.

(B) Supplies, services or construction normally supplied, as a unit shall not be artificially divided for the sole purpose of using small purchase procedures.

(C) Before purchasing any supplies, services, at a cost exceeding \$5,000, but less than \$22,000 ~~the amount specified by state law for bid purposes (\$20,000 as of 12/2007)~~, authorized persons shall submit to the County Judge/Executive a purchase order containing specifications, quantities desired and price quotes (three when possible) for the desired supplies or services. The County Judge/Executive shall determine the need for the item(s) requested, the approximate cost and

whether or not the expenditure is provided for in the budget. The County Judge/Executive shall then select the price most advantageous to the county and purchase accordingly. If two or more local suppliers offer the same product at the same price, the County Judge/Executive may purchase or authorize a purchase from suppliers on a rotating basis.

(D) A copy of the billing from the vendor along with a copy of the signed purchase order shall be submitted to the County Treasurer at the time of approval.

(E) All purchases shall be debited from the budget appropriation for the department making or requesting such purchase.

(F) No purchase shall be made for an amount that exceeds the sum budgeted and appropriated by the County Fiscal Court for such purchases.

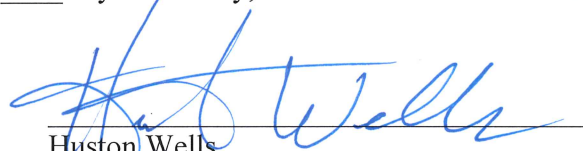
SECTION II. CODIFICATION. The provisions of Section I of this Ordinance shall be published as appropriate in the Franklin County Code of Ordinances as soon as practicable.

SECTION III. SEVERABILITY CLAUSE. If any section, part of provision of this Ordinance is declared unconstitutional or invalid by a court of competent jurisdiction, then it is expressly provided and it is the intention of the Franklin County Fiscal Court in passing this Ordinance that its parts shall be severable and all other parts of this Ordinance shall not be affected thereby and they shall remain in full force and effect.

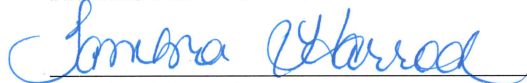
SECTION IV. PUBLICATION AND EFFECTIVE DATE. This Ordinance shall take effect immediately upon its passage and publication according to law.

INTRODUCED AND GIVEN FIRST READING IN SUMMARY at a duly convened meeting of the Fiscal Court of Franklin County, Kentucky, held on the 7th day of January, 2022.

GIVEN SECOND READING AND APPROVED at a duly convened meeting of the Fiscal Court of Franklin County, Kentucky, held on the 20 day of January, 2022 and of record in Fiscal Court Order Book 32, Page 215.


Huston Wells
Franklin County Judge/Executive

ATTESTED TO:


Tambra Harrod
Fiscal Court Clerk

SUMMARY

This ordinance sets a minimum fixed amount for the negotiated and bid process by removing the bid default threshold consistent with the State, set under KRS 45A.385.