

ORDINANCE NUMBER 7 - 2021

COUNTY OF FRANKLIN, KENTUCKY

AN ORDINANCE AMENDING THE OPERATION OF COUNTY FISCAL COURT, CHAPTER 30 (PURCHASES AND CONTRACTS) OF THE FRANKLIN COUNTY CODE OF ORDINANCES BY ADDING SECTIONS FOR SOURCE PROCUREMENT, FEDERAL FUND PROCUREMENT AND EFFECT OF FEDERAL GRANT PURCHASE DISCLAIMER

WHEREAS, the Franklin County Code of Ordinances Chapter 30: Purchase and Contracts set forth the procedures for purchases and contracts of Fiscal Court; 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, is hereby amended to add the following:

§ 30 SOLE SOURCE PROCUREMENT.

(A) Sole source procurement should be used only when competitive solicitation procedures like sealed bids or competitive proposals are not applicable to the requirements or are impracticable. Recipients may conduct noncompetitive (“sole source”) procurement through solicitation of proposals from only one source when one or more of the following circumstances apply:

- (1) The item/service is available only from one source.
- (2) The public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation.
- (3) Competition is determined inadequate after solicitation of a number of sources.

§ 30 FEDERAL FUND PROCUREMENT.

Procurement of goods and/or services with federal funds from a supplier or contractor should be checked for debarment before purchasing and/or awarding a contract or subaward. Debarment should be checked prior to purchasing or contracting with any entity or agency to ensure the entity or agency has not been debarred or suspended by the federal government at the System for Award Management website (<http://www.sam.gov/>).

All procurement contracts and agreements for both goods and services must have the following verbiage contained in the documentation immediately adjacent to the signature line:

“Debarment and Suspension Certification - The contractor (or vendor, or consultant, depending on the transaction) certifies to the best of its knowledge and belief that it and its principals are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily

excluded from covered transactions by any Federal department or agency in accordance with Executive Order 12549 (2/18/86)."

§ 30 EFFECT OF FEDERAL GRANTS UPON PUBLIC PURCHASING UNITS.

If federal grant or other federal requirements differ from the provisions of this code or regulations adopted hereunder, nothing in this code or its regulations shall inhibit any public purchasing unit from complying with the terms and conditions of the federal grant or other federal requirements.

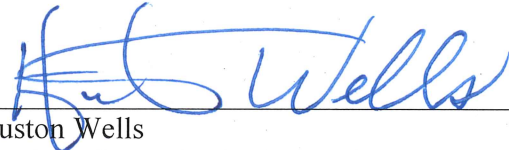
SECTION II. CODIFICATION. The provisions of Section I of this Ordinance shall be published as appropriate in the Franklin County Code of Ordinances as soon as practicable.

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.

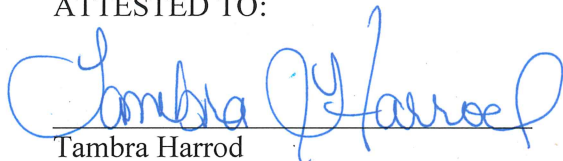
INTRODUCED AND GIVEN FIRST READING IN SUMMARY at a duly convened meeting of the Fiscal Court of Franklin County, Kentucky, held on the 10th day of June, 2021.

GIVEN SECOND READING AND APPROVED at a duly convened meeting of the Fiscal Court of Franklin County, Kentucky, held on the 30 day of June, 2021 and of record in Fiscal Court Order Book 31, Page 380.



Huston Wells
Franklin County Judge/Executive

ATTESTED TO:



Tambra Harrod
Fiscal Court Clerk

SUMMARY

This ordinance adds language for sole source purchasing and guidelines for purchases using federal funds.