

PURCHASING ORDINANCE

The Board of Supervisors of the County of Jefferson does ordain as follows:

SECTION 1. SHORT TITLE. This ordinance shall be known as the "Jefferson County Purchasing Ordinance".

SECTION 2. PURPOSE. The purpose of this Ordinance is to provide for the fair and equitable treatment of all persons involved in public purchasing by this County, to maximize the purchasing value of public funds, and to provide a framework of internal controls to achieve these objectives.

SECTION 3. APPLICATION. (a) This Ordinance applies to contracts for the procurement of supplies, services, and construction entered into by this County after the effective date. It shall apply to every expenditure of public funds by a public agency for public purchasing regardless of its source with the exceptions noted in this Section. When the procurement involves purchase from another governmental entity of the expenditure of Federal or State assistance or contract funds, the procurement shall be conducted in accordance with any applicable Federal or State laws or regulations which are not reflected in this Ordinance. Nothing in this Ordinance shall prevent any public agency from complying with the terms and conditions of any grant, gift or bequest which are otherwise consistent with law.

(b) The Highway Department shall not be governed by the provisions of this ordinance for purchases of repair parts and for repair work involving Highway machinery or equipment, but the Highway Department shall comply with the provisions of Sec. 59.52(29) and Sec. 66.0901, Wis. Stats.

SECTION 4. DEFINITIONS.

Brand name specification. A specification limited to one or more items by manufacturers' names or catalogue numbers.

Brand name or equal specification. A specification limited to one or more items by manufacturers' names or catalogue numbers to describe the standard or quality, performance or other important characteristics needed to meet County requirements and which provides for the submission of equivalent products.

Business. Any corporation, partnership, individual, sole proprietorship, joint stock company, limited liability company, joint venture or any other private legal entity.

Change order. A written order approved and issued by the Purchasing Agent, directing a Business to make changes to a contract and project.

Confidential information. Any information which is available to an employee only because of the employee's status as an employee of this County and is not a matter of public knowledge or is not available to the public on request.

Construction. The process of building, altering, repairing, improving, or demolishing any public structure or building, or other public improvements of any kind to any public real property. Construction does not include the routine operation, routine repair or routine maintenance of existing structures, buildings, or real property.

Contract. All types of County agreements, regardless of what they may be called, for the procurement of supplies, services, or construction or any other agreement that legally binds the County.

Contract modification. Any written alteration in specifications, delivery point, rate of delivery, period of performance, price, quantity or other provision of any contract accomplished by mutual action of the parties to the contract.

Contractor. Any person having a contract with a public agency of the County.

Cost data. Factual information concerning the cost of labor, material, overhead and other cost elements which are expected to be incurred or which have actually been incurred by the contractor in performing the contract.

Cost reimbursement contract. A contract under which a contractor is reimbursed for costs which are allowable and allocable in accordance with the contract terms and the provisions of this Ordinance and a fee or profit, if any.

Direct or indirect participation. Involvement through decision, approval, disapproval, recommendation, preparation of any part of a purchase request, influencing the content of any specification or procurement standard, rendering of advice, investigation or auditing or in any other advisory capacity.

Employee. An individual drawing a salary from the County, whether elected or not, and any noncompensated individual performing personal services for the County or any department, agency, commission, council, board, of any other entity established by the executive or legislative branch of this County.

Financial interest.

(a) Ownership of any interests or involvement in any relationship from which or as a result of which a person within the past year has received, or is presently or in the future entitled to receive, any amount that is prohibited by county or state law;

(b) Ownership of any property, or business; or

(c) Holding a position in a business such as an officer, director, trustee, partner, employee or the like, or holding any position of management.

Gratuity. A payment, loan, subscription, advance, deposit of money, services or anything of value, present or promised, unless consideration of substantially equal or greater value is received.

Immediate family. A spouse, children, parents, brothers and sisters.

Invitation for bids. All documents, whether attached or incorporated by reference, utilized for soliciting sealed bids. No confidential or proprietary data shall be solicited in any invitation for bids.

Lease. A contract for use of equipment or other supplies or real property under which title will not pass to the County at any time.

Person. Any person, individual, union, committee, club, other organization or group of individuals.

Public agency. A public entity subject to or created by local ordinance.

Qualified products list. An approved list of supplies, services or construction items described by model or catalogue numbers which, prior to competitive solicitation, the County has determined will meet the applicable specification requirements.

Request for proposals. All documents, whether attached or incorporated by reference, utilized for soliciting proposals.

Responsible bidder or offeror. A person who has the capability in all respects to perform fully the contract requirements with the tenacity, perseverance, experience, integrity, reliability, capacity, facilities, equipment and credit which will assure good faith performance.

Responsive bidder. A person who has submitted a bid which conforms in all material respects to the invitation for bids.

Small purchases. Any purchase not exceeding \$25,000 when made according to the small purchase procedures in this Ordinance.

Specification. Any description of the physical or functional characteristics, or the nature of a supply, service, or construction item. It may include a description of any requirement for inspecting, testing or preparing a supply, service or construction of an item for delivery.

SECTION 5. PURCHASING AGENT.

(1) Appointment. The Purchasing Agent shall be the County Administrator or his or her designee.

(2) Authority and duties. The Purchasing Agent shall serve as the principal public purchasing official for the County and shall be responsible for the procurement of supplies, services, equipment, and construction in accordance with this Ordinance as well as the

management and disposal of supplies, materials and equipment. The Purchasing Agent shall purchase or supervise the purchase of all supplies, materials, equipment and construction needed by the County, shall sell, trade or otherwise dispose of supplies, materials, and equipment, and shall establish and maintain programs for the specifications development, contract administration, and inspection and acceptance of supplies, services, materials and construction. The Purchasing Agent may establish operational procedures relating to the execution of the Purchasing Agent's duties.

SECTION 6. SOURCE SELECTION AND CONTRACT FORMATION.

(1) Competitive sealed bidding.

(a) Conditions for use. All contracts of this County shall be awarded by competitive sealed bidding, except as otherwise provided in subsections (2), (3), (4), (5), (6), (7), (8), and (15) of this Section.

(b) Proof of responsibility – Proof of responsibility may be required of all bidders under Wisconsin Statutes Section 66.0901 (2), (3) and (4).

(c) Invitation for bids. An invitation for bids shall be issued and shall include specifications and all contractual terms applicable to the procurement.

(d) Notice. Adequate notice of the invitation for bids shall be given a reasonable time prior to the date set forth therein for the opening of bids. Notice shall be given no later than 14 calendar days prior to the bid opening. Such notice shall, when required by State Statute, include publication in a newspaper of general circulation. The notice shall state the date, time, and place of the bid opening.

1. Legal notice. Any Public Works contract or procurement greater than or equal to \$25,000 shall be noticed by publication in a newspaper that is circulated within the County.

2. Public notice. Any Public Works contract or procurement greater than or equal to \$25,000 shall be noticed by publication on the County's website.

(e) Questions and Clarifications. The invitation for bids shall designate persons who may respond to questions or clarifications on the invitation. Solicitation of information from sources other than the designated individuals may result in rejection of bid. Any modification to the invitation shall be issued as an addendum to the invitation and be made to all known responsible bidders.

(f) Bid opening. Bids shall be opened publicly in the presence of one or more witnesses at the time and place designated in the invitation for bids. The amount of each bid and other such relevant information as the Purchasing Agent deems appropriate shall be recorded.

(g) Bid evaluation and acceptance. Bids shall be evaluated based on the requirements set forth in the invitation for bids. The invitation for bids shall set forth the evaluation criteria to be used for selection. Nothing herein shall prevent the Purchasing Agent from standardizing property, inventory, supplies, and equipment if by doing so it is determined by the Purchasing Agent to be in the best interest of the County.

(h) Withdrawal or modification of bids. Bids may be modified or withdrawn any time prior to the time of opening bids. No bid may be withdrawn or modified after the time of opening bids has passed, however, correction in bids shall be permitted only to the extent that the bidder can show by clear and convincing evidence that a mistake was made, the nature of

the mistake and the bid price actually intended. However, downward correction of a bid, which would displace the apparent low bidder, shall only be permitted if the error made and intended bid price can be determined solely from the bid documents.

(i) Rejection of bids. The County reserves the right to reject any or all bids or parts thereof and to award to the bidder who, in the judgment of the County will best serve the County. Reasons for rejecting bids shall be documented and transmitted to the bidder with reasonable promptness.

(j) Award. The contract shall be awarded with reasonable promptness by written notice to the responsible and responsive bidder whose bid provides the best value for the County. The County Board of Supervisors shall approve all awards, except that the County Board of Supervisors may delegate this approval authority to a standing committee.

(k) Request for Qualifications. The County may issue an invitation for potential bidders to submit qualifications, followed by an invitation to bid to those bidders whose qualifications have been determined to be acceptable.

(l) Specifications.

1. Maximum practicable competition. All specifications shall be drafted so as to promote overall economy for the purposes intended and encourage free and open competition in satisfying the County's needs and shall not be unduly restrictive. The Ordinance enunciated in this section applies to all specifications including, but not limited to, those prepared for the County by architects, engineers, designers and draftsmen.

2. Qualified products list. A qualified products list may be maintained by the Purchasing Agent.

3. Brand name or equal specification.

a. Use. Brand name or equal specifications may be used when the Purchasing Agent determines that:

i. No other design or equal specification or qualified products list is available;

ii. Time does not permit the preparation of another form of purchase description, not including a brand name specification;

iii. The nature of the product or the nature of the County's requirements makes use of a brand name or equal specification suitable for the procurement; or

iv. Use of a brand name or specification is in the County's best interest.

b. Designation of several brand names. Brand name or equal specifications shall seek to designate three or as many different brands as are practicable as "or equal" references and shall further state that substantially equivalent products to those designated will be considered for award.

c. Required characteristics. Unless the Purchasing Agent determines in writing that the essential characteristics of the brand names included in the specifications are commonly known in the industry, he or she shall provide a description of the required design, function, or performance characteristics.

d. Nonrestrictive use of brand name or equal specifications. Where a brand name or equal specification is used in a solicitation, the solicitation shall contain explanatory language that the use of a brand name is for the purpose of describing the standard of quality, performance and characteristics and is not intended to limit or restrict competition.

4. Brand name specification.

a. Use. Since use of a brand name specification is restrictive of product competition, it may be used only when the Purchasing Agent makes a determination that only the identified brand name item or items will satisfy the County's needs. The Purchasing Agent must be prepared to substantiate the basis for the selection of the chosen material.

b. Competition. The Purchasing Agent shall seek to identify sources from which the designated brand name item or items can be obtained and shall solicit such sources to achieve whatever degree of price competition is practicable. If only one source can supply the requirement, the procurement shall be made under Section 6(4).

(2) Competitive sealed proposals.

(a) Conditions for use. When the Purchasing Agent determines that the use of competitive sealed bidding is either not practicable or not advantageous to the County, a contract may be entered into by use of the competitive sealed proposals method described herein.

(b) Request for proposals. Proposals shall be solicited through a request for proposals.

(c) Notice. Adequate notice of the request for proposals shall be given in the same manner as provided in subsection (1)(d) of this Section, provided the minimum lead time shall be 14 calendar days.

(d) Receipt of proposals. No proposals shall be handled so as to permit disclosure of the contents of any proposal to competing offerors during the process of negotiation. A register of proposals shall be prepared containing the name of each offeror, the number of modifications received, if any, and a description sufficient to identify the item offered. The register of proposals shall be open for public inspection only after contract award.

(e) Evaluation factors. The request for proposals shall set forth the evaluation factors to be used with the County reserving the right to accept or reject proposals if deemed in the best interest of the County.

(f) Questions and Clarifications. The request for proposals shall designate persons who may respond to questions or clarifications on the request. Solicitation of information from sources other than the designated individuals may result in rejection of proposals. Any modification to the proposals shall be issued as an addendum to the request for proposals and be made to all known responsible offerors.

(g) Award. Award shall be made to the responsible offeror whose proposal is determined to be the most advantageous to the County taking into consideration past performance, price and evaluation factors set forth in the Request for Proposals.

(3) Small purchases. Any purchase not exceeding \$25,000 may be made in accordance with small purchase procedures, however, purchases shall not be artificially divided so as to constitute a small purchase under this section.

(a) Purchases less than \$5,000 do not require a quote, bid, requisition, or purchase order.

(b) Purchases between \$5,000 and \$25,000 shall be approved through a requisition process by the Purchasing Agent or his or her designee. Once a requisition is approved by the Purchasing Agent, a Purchase Order shall be generated as evidence of approval for the purchase. Except as otherwise provided for by subsections (4), (5), and (6) of this Section, written quotations from at least three vendors, if available, shall be required for all purchases between \$5,000 and \$25,000. The name of the vendor and date and amount of

quotation shall be recorded and maintained as a public record. If a purchase qualifies as a public works project, the requirements of (16) (a) below shall be followed.

(4) Sole source procurement. A contract may be awarded without competition when the Purchasing Agent determines in writing, after conducting a good faith review of the available sources, that there is only one source for the required supply, service or construction item and when allowed by law.

(5) Emergency procurements. Upon declaration of an emergency in accordance with Chapter 323 of the Wisconsin Statutes, the Purchasing Agent may make or authorize others to make emergency procurements of supplies, services, or construction items when there exists a threat to public health, welfare, or safety, if allowed by law, provided that such emergency procurements shall be made with such competition as is practicable under the circumstances. A written determination of the basis for the emergency and for the selection of the vendor or contractor shall be included in the contract file and forwarded to the Purchasing Agent.

(6) Cooperative and group purchasing. Where feasible, the Purchasing Agent may elect to forgo the requirements of this Section in favor of participating in a cooperative purchase with other units of government. In order to forgo these requirements, the sponsoring agency must be able to demonstrate that it has performed the due diligence necessary to satisfy the requirements of this Section and have a current contract in place with the selected contractor. The Purchasing Agent will retain documentation evidencing these requirements have been met as a public record.

(7) Highway Department.

(a) Maintenance and construction commodities. Where feasible, annual written quotes will be solicited for road construction and maintenance related commodities such as asphalt, asphaltic emulsions, gravel, concrete, and other aggregate materials. Vendors providing quotes will provide a not-to-exceed price per unit for the upcoming year to be approved by the County Board. The Purchasing Agent may authorize the selection of any vendor that provides the best value for the County based on the circumstances of the individual project provided that the basis for the authorization is documented and that documentation is retained in the County's authorized retention system.

(b) Subcontractors. Where feasible, the Highway Department will seek quotes for labor and equipment rates annually. Prospective vendors will provide not-to-exceed rates for labor and equipment for the upcoming year to be approved by the County Board. The Purchasing Agent may authorize the selection of any vendor that provides the best value for the County based on the circumstances of the individual project provided that the basis for the authorization is documented and that documentation is retained in the County's authorized retention system.

(8) Fair Park Contracts. The Purchasing Agent may negotiate and authorize contracts regarding Fair Park activities for amounts up to \$100,000 provided that the contracted activities are approved in the annual budget adopted by the County Board of Supervisors. All contracts shall be approved by the County's Corporation Counsel or his or her designee, and signed by the County Administrator. The County Clerk shall be the custodian of all contracts entered into by the County.

(9) Contracts. All purchases procured under Sections 6(1), (2), and (4) of this Ordinance, where purchases under subsection (4) do not meet the requirements of subsection (3), shall require a contract setting forth, at a minimum, the duties and responsibilities of all interested

parties. The use of cost-plus-a-percentage-of-cost or cost-plus-a-percentage-of-construction-cost contracts are prohibited. All contracts shall be approved by the County's Corporation Counsel or his or her designee, and signed by the County Administrator. The County Clerk shall be the custodian of all contracts entered into by the County.

(10) Lease or rental contracts. A lease or rental agreement may be entered into provided it is determined to be in the best interest of the County, and all conditions for renewal and costs of termination are set forth in the lease. Where the County has an option to lease, rent, or purchase an item, a written analysis will be prepared supporting the County's decision to lease, rent, or purchase. Lease or rental agreements shall follow the procurement requirements of this Section.

(11) Changes to contracts. If during the term of a contract, any party wishes to change the contract terms, the changes must be agreed to in writing and signed by all interested parties. The Purchasing Agent shall approve all contract changes on behalf of the County. Once all changes are approved in writing by all parties, the Purchasing Agent shall approve a change order to be processed for any purchase that exceeds the lesser of \$500 or 10% of the original purchase order. Changes to contracts that affect the County budget shall cause adjustments to the County budget in accordance with the County's Budget Adjustment Request Policy.

(12) Environmentally Preferable Purchasing Policy. County purchasing procedure shall include review of proposed purchases in light of the guidelines set forth in the Environmentally Preferable Purchasing Policy approved by the Solid Waste & Air Quality Committee. Department heads, the County Administrator and committees shall, when fiscally feasible, consider purchases that are in accord with such policy. Consideration of environmentally preferable factors may be a reason to accept other than the low bid for a particular product or project not required by law to be let to the lowest bidder.

(13) Contracts with no funds involved. Any contract which does not require the expenditure of County funds, but which creates legally binding obligations for one year or less on the part of the County, shall not be executed until approved by the Purchasing Agent. Such contracts exceeding one year, shall be approved by majority vote of the County Board of Supervisors.

(14) Renewal of contracts.

(a) Except as provided for in subsection (b), contracts for procurement may be bid for a duration not in excess of three (3) years where costs for years after the first year are specified or are established on a percentage basis over the first year. The Finance Committee, on a case-by-case basis, can authorize contracts in excess of three years.

(b) Contracts for employee benefits and insurance coverages shall not be subject to the provisions of subsection (a) above, however these contracts shall be reviewed with the appropriate standing committees on an annual basis. The Purchasing Agent with approval from the standing committees shall be authorized to renew contracts for employee benefits and insurance coverages annually without a procurement process if it is determined to be in the best interest of the County.

(15) Service contracts, Human Services Department. The Human Services Department shall purchase services in accordance with the procedures set forth in Wisconsin Statute Section 46.036. The Human Services Department shall circulate rules and procedures governing purchases of service for the Human Services Department and shall submit such procedures to the Human Services Board for approval. The Human Services Department shall

submit all contracts to Corporation Counsel for review and approval prior to entering into contracts.

(16) Public works contracts.

(a) If the estimated cost of any public work is between \$5,000 and \$25,000, the department or agency head that is initiating the contract shall inform the Purchasing Agent and the Agent shall give a Class 1 notice under Chapter 985 before contracting for the work or shall contract with a person qualified as a bidder under Section 66.0901, Wis. Stats. The County Administrator shall establish written criteria concerning contracts, payment and performance bonds for public work projects between \$10,000 and \$100,000, in accordance with Section 779.14(1)(d), Wis. Stats.

(b) As provided in Section 59.52(29), Wis. Stats., all public work, include any contract for the construction, repair, remodeling or improvement of any public work, building or furnishing of supplies or material of any kind where the estimated cost of such work will exceed \$25,000 shall be let by contract to the lowest responsible bidder, provided such bid complies with the specifications. The contract shall be let and entered into pursuant to Sec. 66.0901, Wis. Stats., except the Board may, by a three-fourths vote of all the members entitled to a seat, provide that any class of public work or any part thereof may be done directly by the County without submitting the same for bids.

(17) Revenue contracts. Provided that revenue is approved by the County Board of Supervisors in the County's annual budget, County Department Heads may authorize contracts for the provision of County services, including fee for service and grant contracts, or receipt of contributions or donations for a designated purpose, of up to \$5,000 annually. Contracts more than \$5,000 and less than \$25,000 annually may be approved by the purchasing agent. Contracts more than \$25,000 annually shall be approved by the Board of Supervisors.

(18) Competition.

(a) The County will not place unreasonable requirements on firms in order for them to qualify to do business.

(b) The County will not require unnecessary experience or excessive bonding.

(c) The County will not engage in noncompetitive pricing practices between firms or between affiliated companies.

(d) The County will not engage in noncompetitive contracts to consultants that are on a retainer basis.

(e) The County will not specify only a "brand name" product instead of allowing a "brand name or equal to" product for reasons of contracting with a specific vendor.

(f) The County will not impose geographical preferences in its selection of contractors except where required by federal law, or where contractors require certain state licenses.

SECTION 7. DEBARMENT OR SUSPENSION. The County will not select any contractor that is suspended or debarred from doing business with any Federal agency. The Purchasing Agent will search the System for Award Management website (SAM), or any other Federally-endorsed website to determine eligibility for contract award prior to recommending the award.

The County may also maintain a list of contractors that it chooses to suspend or debar. After reasonable notice to the person involved and reasonable opportunity for that person to

be heard, the Purchasing Agent, after consulting with the appropriate County boards, committees and commissions and Corporation Counsel is authorized to debar a person for cause from consideration for award of contracts. The debarment shall not be for a period of more than three years. The Purchasing Agent is authorized a person for award of contracts if there is probable cause to believe that the person engagement in any activity which might lead to debarment. The causes for debarment include:

(1) Conviction for commission of a criminal offense as an incident to obtaining or attempting to obtain a public or private contract or subcontract, or in performance of such contract or subcontract.

(2) Conviction under State and Federal statutes of embezzlement, theft, forgery, bribery, falsification or destruction of records, receiving stolen property or other offense indicating a lack of business honesty which currently, seriously and directly affects responsibility as a County contractor.

(3) Conviction under State or Federal antitrust statutes arising out of the submission of bids or proposals.

(4) Violation of contract provisions, as set forth below, of a character which is regarded by the Purchasing Agent to be so serious as to justify debarment action:

(a) Deliberate failure without good cause to perform in accordance with the specifications or within the time limit provided in the contract; or

(b) A recent record of failure to perform or of unsatisfactory performance in accordance with the terms of one or more contracts, provided that failure to perform or unsatisfactory performance caused by acts beyond the control of contractor shall not be considered basis for debarment.

(5) Any other cause the Purchasing Agent determines to be so serious and compelling as to affect responsibility as a County contractor.

(6) For violation of the County's Ordinance on ethics.

SECTION 8. ETHICS IN PUBLIC CONTRACTING.

(1) Criminal penalties. To the extent that violations of the ethical standards of conduct set forth in this section constitute violations of state criminal law, they shall be punishable as provided therein. Such penalties shall be in addition to the civil sanctions set forth in this section. Criminal, civil, and administrative sanctions against employees or nonemployees which are in existence on the effective date of this subchapter shall not be impaired.

(2) Elected official and employee conflict of interest. In accordance with the County's ordinance on Ethics, any elected official or appointed employee of the County shall not participate directly or indirectly in a procurement when:

(a) the elected official, employee, or any member of the employee's immediate family has a financial interest pertaining to the procurement; or

(b) any other person, business or organization with whom the employee or any member of the employee's immediate family is negotiating or has an arrangement concerning prospective employment is involved in the procurement.

(3) Gratuities and kickbacks.

(a) Gratuities. In accordance with the County's ordinance on Ethics, an elected official or employee may not solicit, demand, accept, or agree to accept from another person a gratuity greater than \$25 of value or an offer of employment in connection with any decision, approval, disapproval, recommendation, preparation or any part of a program requirement or

purchase request influencing the content of any specification or procurement standard, rendering of advice, investigation, auditing or any other advisory capacity in any proceeding or application, request for ruling, determination, claim or controversy, or other particular matter, pertaining to any program requirement in a contract or subcontract, or to any solicitation or proposal therefor.

(b) Kickbacks. It shall be unethical for any payment, gratuity or offer of employment to be made by or on behalf of a subcontractor under a contractor to the prime contractor or higher tier subcontractor or any person associated therewith, as an inducement for the award of a subcontract or order.

(4) Contingent fees. It shall be unethical for a person or to retain a person, to solicit or secure a County contract upon an agreement or understanding for a commission, percentage, brokerage or contingent fee, except for retention of bona fide employees or bona fide established commercial selling agencies for the purpose of securing business.

(5) Contemporaneous employment. It shall be unethical for any employee who is participating directly or indirectly in the procurement process to become or to be, while such an employee, the employee of any person contracting with the County.

(6) Use or disclosure of privileged information. In accordance with the County's ordinance on ethics, it shall be unethical for any employee or elected official to use or disclose privileged information for actual or anticipated gain of the employee or any member of the employee's immediate family.

(7) Personal purchases. Elected officials and employees are prohibited from purchasing items for personal use.

(8) Sanctions.

(a) Employees. The County Board in the case of the County Administrator or the County Administrator in the case of County employees may impose sanctions on employees for violation of the ethical standards in this section up to and including termination, and further may seek additional damages or criminal prosecution if warranted.

(b) Nonemployees. The County Board may impose sanctions on any nonemployee for violations of the ethical standards herein, up to and including termination of contract and/or debarment or suspension as provided in Section 7 herein, and further may seek additional damages or criminal prosecution if warranted.

SECTION 9. RECORD RETENTION. The County will maintain records sufficient to document the history of each procurement. Retention of any bid documents, proposals, specifications, responses to requests for bids or proposals, contracts, requisitions, purchase orders, quotations written or verbal, invoices for payment, and any documentation supporting the aforementioned documents and documented approval of any of these items shall be retained according to the County's designated County records retention system and in accordance with the County's records retention schedule.

SECTION 10. INDIVIDUAL CHARGE ACCOUNTS. The County shall favor the use of procurement or credit cards over the use of individual vendor charge accounts.

SECTION 11. UNAUTHORIZED PURCHASES. Any County purchases which do not adhere to this ordinance may be considered void. The individual responsible for the purchase may be held personally liable for the cost of the purchase.

SECTION 12. SALE OF SURPLUS PROPERTY. When personal property owned by the County of Jefferson no longer serves any useful purpose in the department in which it is located, the Purchasing Agent shall first determine whether any other County department or agency needs such property. In the event such property can no longer be used by any department or agency of the County, the Purchasing Agent shall determine if such property should be offered for sale and sell such property if sale is determined to be appropriate. If the Purchasing Agent determines that the property has no resale value or that the resale value may be less than the costs associated with selling the property, the Purchasing Agent may authorize that the property be properly disposed of as trash, refuse or recycled material. The Purchasing Agent shall determine a method of sale or disposition for each item. Sale proceeds, net of related sales costs, shall be deposited by the authorized selling employee, with the County Treasurer, in the fund through which the original purchase was made. In regards to surplus property originally acquired through state or federal grants, due diligence shall be required to determine whether those net sale proceeds must be returned to the state or federal government.

SECTION 13. ABANDONED OR UNCLAIMED PROPERTY. Pursuant to Sec. 66.0139, Wis. Stats., property which has been abandoned or remains unclaimed in the possession of any County officer or employee for 30 days after such officer or employee took possession is deemed abandoned property and is subject to disposal. The Purchasing Agent shall determine whether disposal is to be by public sale or other commercially reasonable means. If such abandoned property is not saleable it shall be disposed of as trash, refuse or recycled material in any reasonable manner. Where disposal is by any means other than public sale, the Purchasing Agent shall maintain a record of the following facts for two years after disposal:

1. Inventory of property.
2. Date of disposal.
3. Method of disposal.
4. Price received, if any.
5. The name and job assignment of the person who took possession of the property.

The cost of keeping and selling such property shall be charged against any resulting moneys. Any remaining amounts shall become the property of the County and shall be deposited with the County Treasurer in the General Fund of the County. For surplus property originally acquired through state or federal grants, due diligence shall be required to determine whether those net sale proceeds must be returned to the state or federal government.

SECTION 14. REPEAL OF PRIOR ORDINANCE. Any ordinance in conflict herewith shall be repealed upon the effective date of this ordinance.

SECTION 15. EFFECTIVE DATE. This ordinance shall be effective upon passage and publication.

Adopted: 04/17/18, Ord. No. 2018-05