

ORDINANCE NO. 83-1
GENERAL PROCUREMENT ORDINANCE

ARTICLE I - Title, Authority, Jurisdiction, and Purpose

1.1 Title. This ordinance shall herein after be known as and may be cited as the "General Procurement Ordinance of Wythe County, Virginia," Ordinance Number 83-1.

Authority. This ordinance is adopted pursuant to the Authority of Sections 15.1-103 through 15.1-113, Section 15.1-127, Section 15.1-129, and Section 11-36 of the Code of Virginia and amendments thereto.

Jurisdiction. The provisions of this ordinance shall apply to Wythe County, Virginia.

Purpose. The purposes of this ordinance are to provide for the fair and equitable treatment of all vendors, suppliers, and persons involved in public purchasing with the County of Wythe, to maximize the purchasing value of public funds in procurements, and to provide safeguards for maintaining a procurement system of quality and integrity.

ARTICLE II - Office of Purchasing Agent

Purchasing Agent.

- 1) Establishment of Purchasing System. There is hereby established a Purchasing Department for the County of Wythe and in said Department the Office of the Purchasing Agent.
- 2) Appointment of Purchasing Agent. The Purchasing Agent shall be the County Administrator. Nothing contained in this ordinance shall prevent the County Administrator from designating a responsible person to perform the duties of Purchasing Agent.

Authority. The Purchasing Agent shall be responsible for the procurement of all goods, services, insurance, and construction in accordance with this ordinance, except as provided herein.

Duties.

- 1) Purchase or contract for all goods, services, insurance, and construction required by using department, except as provided herein;

- 2) Ensure preparation and enforcement of standard specifications;
- 3) Ensure the inspection of all deliveries of goods services, or construction purchased through him to determine their conformance with the order or contract;
- 4) Act to procure for the County the highest quality in goods, services, insurance, and construction at the least expense to the County;
- 5) Endeavor to obtain as full and open competition as possible on all purchases and sales;
- 6) Keep informed of current developments in the field of purchasing, prices, market conditions, and new products;
- 7) Secure for the County the benefits of research done in the fields of purchasing by other governmental jurisdictions, national societies, national trade associations, and by private businesses and organizations;
- 8) Prepare, adopt, and maintain a vendor's file containing catalogues, descriptions of commodities, prices, and discounts;
- 9) Declare vendors who default on their quotations as irresponsible bidders and to disqualify them from receiving business from the County for a stated period of time, subject to approval by the Board of Supervisors;

Maintain a current file of sources of goods, services, insurance, and construction to be known as a "bidders list" to which vendors can request to be included.

- 11) Will not issue any order for delivery on a purchase unless there is sufficient unencumbered appropriation balance, in excess of all unpaid obligations, to defray the amount of such order;

Have charge of such storerooms and warehouses of the County as the Board of Supervisors may provide;

Make transfer of supplies, materials, and equipment between departments and officers, and employees, except the School Board and Social Services Board. To sell any surplus supplies, materials, and equipment and to make such other sales as may be authorized by the governing body, except the School Board and Social Services Board.

- 14) Perform such other functions and duties in keeping with good purchasing practices and such other duties as the Board of Supervisors may assign.

ARTICLE III - Purchasing Procedure

Timeliness of Purchasing. Each department is responsible for the timeliness of its needs in order to minimize emergency orders. The purchasing, to be effective, must be an orderly process with sufficient lead time prior to the department's need for such purchases,

Procedure.

1) Requisition for Purchase. A requisition form is to be filled in by each department. If the department has obtained prices, etc., or has a preference of vendor, such information may be submitted with the requisition and will be considered. The requisition must be signed by the department head or by their designee.

2) Issuing Purchase Order. Upon receipt of the Requisition, the Purchasing Agent will issue the necessary Purchase Order or obtain competitive bids, negotiations or proposals, if required. Each Purchase Order will show the date of delivery, the place of delivery, and the department's code (all this being entered from the Requisition).

3) Were Funds Allocated. The Requisition will be further edited to insure that funds are allocated for such purchases. Each department has the responsibility to know the status of its allocation and balance. Such information is available from the County Administrator's office. Any department requisitioning goods, services, insurance, or construction for which funds have not been allocated, the Purchasing Agent will not issue the purchase order until the Board of Supervisors has allocated sufficient funds for the purpose stated in the requisition.

4) Receipt of Goods. Upon receipt of the goods, services, materials, etc., the department receiving will indicate on both copies of their purchase order that the goods, services, materials, etc., are as ordered (or note any discrepancies). One copy of the purchase order is to be retained by the department for their files and one copy signed by the department head or their designee and returned to the Purchasing Agent along with the invoice.

5) Payment of Invoice. Payment of the invoice will be handled in the normal manner of disbursements of County funds.

Competitive Sealed Bids. All purchases of goods, contractual services, insurance, and capital improvement estimated to be five thousand dollars (\$5,000) or more in value shall be by competitive sealed bids as defined by the Code of Virginia.

Competitive Negotiations. All purchases of goods, contractual services, insurance, and capital improvement estimated to be greater than two thousand dollars (\$2,000) in value but less than five thousand dollars (\$5,000) shall be by competitive negotiation as defined by the Code of Virginia. Two or more written negotiations shall be secured from vendors in the commodity area of the transaction. The Purchasing Agent may require competitive sealed bids in his discretion.

Other Procurements. All purchases of goods, contractual services, insurance, and capital improvements estimated to be less than two thousand dollars (\$2,000) in value, shall not be subject to competitive bidding, quotations, or competitive negotiations. The Purchasing Agent may require written or verbal quotations in his discretion.

Purchase of Professional Services. Any professional services estimated to be greater than two thousand dollars (\$2,000) or more shall be in accordance with the method prescribed by the Code of Virginia. Purchase of professional services estimated to be less than two thousand dollars (\$2,000) shall not be subject to competitive negotiation or competitive bidding.

ARTICLE V - Unauthorized Purchases

5.1 Unauthorized Purchases. Except as herein provided no official elected or appointed or any employee shall purchase or contract for any goods, services, insurance, or construction within the purview of this ordinance, other than by and through the Purchasing Agent. Any purchase order or contract made contrary to the provisions hereof is not approved and the County shall not be bound thereby.

ARTICLE VI - Exempted From Central Purchasing

Exemptions.

- 1) The Wythe County School Board is exempt from central purchasing for the following items:
 - a) Instructional Supplies
 - b) Cafeterial Supplies
 - c) Insurance
 - d) Textbooks

2) The Wythe County Social Services Board is exempt from central purchasing for the following item:

a) Contract Services for Clients

6.2 The Wythe County School Board and the Wythe County Social Services Board must comply with the Virginia State Law on Procurement for the items that have been exempted from central purchasing.

ARTICLE VII - Legal Status Provisions

7.1 Certified Copies of Ordinances. Certified copies of this ordinance and all amendments thereof shall be filed in the offices of the Planning Commission, the County Administrator, and the Clerk of the Circuit Court of Wythe County, Virginia.

Validity. Should any article, section, subsection, or provision of this ordinance be declared by a court of competent jurisdiction to be invalid or unconstitutional, such decision shall not affect the validity or constitutionality of this ordinance as a whole or any part thereof other than the part so declared to be invalid or unconstitutional.

Conflicting Ordinances. All ordinances, portions of ordinances, rules, or policies and statements in conflict with this ordinance are hereby repealed to the extent of their conflict.

Effective Date. This ordinance was duly considered following a required public hearing held on August 9, 1983, and was adopted by the Board of Supervisors of Wythe County, Virginia at its regular meeting held on September 13, 1983, the members voting:

<u>NAME</u>	<u>FOR</u>	<u>AGAINST</u>	<u>ABSENT</u>
Dunford		X	
James	X		
Payne	X		
Reardon	X		
Mabe	X		
Matney		X	
Johnstone	X		

This ordinance shall be effective on and after 12:01 a.m. on September 14, 1983.

AMENDMENT TO ORDINANCE NO. 83-1
GENERAL PROCUREMENT ORDINANCE
OF WYTHE COUNTY, VIRGINIA

A public hearing was held Tuesday, February 11, 1992, at 7:30 p.m. in the Board Room of the County Office Building to consider amending Ordinance No. 83-1, General Procurement Ordinance of Wythe County, Virginia, as follows:

Delete

Article VI - Exempted From Central Purchasing in its entirety.

Add

Article VI - Exempted From Central Purchasing

6.1 Exemptions.

- 1) The Wythe County School Board is exempt from Central Purchasing.
- 2) The Wythe County Social Services Board is exempt from Central Purchasing.

6.2 The Wythe County School Board and the Wythe County Social Services Board must comply with Virginia State Law on Procurement.

Supervisor Dunford made a motion to approve this amendment. Motion was seconded by Supervisor Munsey and the roll call vote is as follows:

NAME	FOR	AGAINST	ABSENT
G. Andrew Kegley, Jr.	X		
Mark C. Munsey	X		
R. T. DuPuis	X		
Olin F. Armentrout	X		
Alan A. Dunford	X		
James J. Crosswell	X		
John E. Davis, Jr.	X		

This amendment shall be effective on and after 12:01 a.m. on February 12, 1992.

I certify this is a true and correct copy taken from the February 11, 1992, minutes of the Wythe County Board of Supervisors.

Billy R. Branson
Billy R. Branson, Clerk

Amendment 1
Ordinance 83-1