

**WELLS COUNTY REGIONAL SEWER DISTRICT
BOARD OF TRUSTEES**

ORDINANCE 2023 - 01 _____

SHORT TITLE: AN ORDINANCE OF THE WELLS COUNTY REGIONAL SEWER DISTRICT BOARD OF TRUSTEES, COUNTY OF WELLS, STATE OF INDIANA, DESIGNATING PURCHASING AGENTS FOR WELLS COUNTY REGIONAL SEWER DISTRICT AND ESTABLISHING A PURCHASING AND PROCUREMENT POLICY AND A DESIGNATION OF AUTHORIZED AGENTS.

WHEREAS the Wells County Regional Sewer District Board of Trustees is the designated executive, legislative and fiscal body of Wells County Regional Sewer District; and

WHEREAS the policies and procedures for purchasing and procurement by governmental units is codified within I.C. §5-22 et seq., I.C. §5-23 et seq., and I.C. §36-1-12, et seq.; and

WHEREAS I.C. §5-22-8-2 authorizes the executive body of a governmental unit to establish additional policies for procurement and purchasing; and

WHEREAS I.C. §5-22-2-26 authorizes the executive body to designate purchasing agents for the unit; and

WHEREAS the purchasing and procurement policies established by a local government unit shall apply equally to the use of federal funds received by said unit pursuant to 2 CFR 200.318; and

WHEREAS Wells County has received federal funds pursuant to the American Rescue Plan Act of 2021 ("ARPA") a portion of which were approved for use by the District under a subrecipient agreement for such funds.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE WELLS COUNTY REGIONAL SEWER DISTRICT BOARD OF TRUSTEES, COUNTY OF WELLS, STATE OF INDIANA, AS FOLLOWS;

SECTION 1. PURPOSE: The purpose of this Ordinance is to establish the Wells County Regional Sewer District Board of Trustees as the purchasing agency under I.C. §5-22-2-25 which is authorized to designate purchasing agents and establish policies and rules for public purchasing as defined in I.C. 5-22 et seq., I.C. 5-23 et seq., and I.C. 36-1-12, et seq.

SECTION 2. DESIGNATION OF PURCHASING AGENTS: The Wells County Regional Sewer District Board of Trustees is the “Purchasing Agency” as defined by I.C. 5-22-2-25 and is also hereby designated as the “General Purchasing Agent” for and on behalf of Wells County Regional Sewer District. The District is authorized to exercise full authority for District purchasing to the extent permitted by law subject only to the rules which they adopt from time to time. As the general purchasing agent, they shall have the authority to adopt all policies and rules for District purchases and to delegate authority to the other purchasing agents named herein.

SECTION 3. LIMITED PURCHASING AGENTS: The Wells County Regional Sewer District Board of Trustees hereby designates “Limited Purchasing Agents” and delegates authority for District purchases thereto subject to the limitations herein stated and according to the policies and rules adopted by them from time to time as amended. The Wells County Regional Sewer District Board of Trustees hereby designate the following individuals, each with individual authority, as limited purchasing agents for the Wells County Regional Sewer District:

District Superintendent, currently Lewis (LA) Brown
District Board President, currently Bruce K. Stinson
District Board Treasurer, currently Leon Berning

SECTION 4. LIMITATION OF AUTHORITY: The limited purchasing agents shall have authority to purchase supplies, materials, equipment and services on behalf of the Wells County Regional Sewer District, subject to final approval and allowance of the claim by the Wells County Regional Sewer District Board of Trustees. Said purchases shall be subject to the threshold limitations imposed by statute and established herein. Purchases made or contracted for in contravention of the procedures outline herein shall be made at the risk of the limited purchasing agent.

SECTION 5. PROCURMENT THRESHOLDS AND PROCEDURES:

- A. **Purchases of \$2,000 and less:** If said purchase is within the budgeted amount for a particular item or class of items pursuant to the District budget or a project budget as approved by the Wells County Regional Sewer District Board of Trustees, said purchase may be made without first obtaining quotes or bids or obtaining approval of the Wells County Regional Sewer District Board of Trustees. If said purchase is NOT within the District budget or an approved project budget amount for a particular item or class of items, the designated agent shall obtain at least one (1) bid or quote and present same to the Wells County Regional Sewer District Board of Trustees to obtain approval for said expenditure.
- B. **Purchases over \$2,000 but less than \$10,000:** The designated agent shall obtain at least one (1) bid or quote and present the same to the Wells County Regional Sewer District Board of Trustees to obtain approval for said expenditure.
- C. **Purchases over \$10,000 but less than \$50,000:** The designated agent shall solicit and attempt to obtain at least two (2) quotes and present the same to the Wells County Regional Sewer District Board of Trustees to obtain approval for said expenditure.
- D. **Purchases over \$50,000 but less than \$150,000:** Pursuant to I.C. § 5-22-8, et seq. the designated agent shall obtain three (3) quotes and present same to the Wells County Regional Sewer District Board of Trustees to obtain approval for said expenditure.
- E. **Purchases over \$150,000:** The designated agent shall develop specifications and solicit sealed bids in the manner specified by I.C. § 5-22-7, et seq., I.C. § 5-23, et seq. and I.C. § 36-1-12-4 respectively concerning the invitation of quotes and competitive bidding and the Wells County Regional Sewer District Board of Trustees must approve any proposed contracts or expenditures.

SECTION 6. APPLICATION: the procurement policies established herein shall apply to all Wells County Regional Sewer District expenditures including the spending of ARPA funds approved for use by the Wells County Regional Sewer District.

SECTION 7. REPEAL: This Ordinance shall replace and repeal all current spending and procurement policies of the Wells County Regional Sewer District.

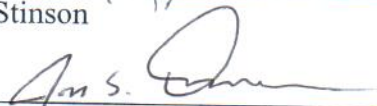
SECTION 8. SEVERABILITY: If any section, provision, or part of this Ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole or any section, provision, or part thereof not adjudged invalid or unconstitutional.

SECTION 9. EFFECTIVE DATE: This Ordinance shall be in full force and effect immediately upon its adoption.

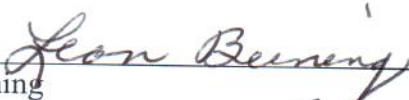
DULY PASSED, ADOPTED, AND ORDAINED BY THE WELLS COUNTY REGIONAL SEWER DISTRICT BOARD OF TRUSTEES OF THE COUNTY OF WELLS, STATE OF INDIANA, ON THIS 6th DAY OF May, 2023.



Bruce K. Stinson



Jon Oman



Leon Berning



Andy Stoller



Dr. Richard Jackson

ATTEST:



, Secretary