

JEDO RESOLUTION NO. 2004- 1

**A RESOLUTION ESTABLISHING PURCHASING PROCEDURES
INVOLVING THE EXPENDITURE OF JEDO FUNDS**

WHEREAS, the Joint Economic Development Organization, has determined to require a competitive bid procedure for the efficient and economical purchase of goods and services.

NOW, THEREFORE, the JEDO Board, meeting in regular session on this Twenty-fifth day of August 2004, does hereby resolve as follows:

- (A) **Purchases:** Except as otherwise provided in this resolution, all requests and orders for the purchase, rental or lease of goods, supplies, materials, equipment, and services, shall be approved by the JEDO Board before bids are advertised or otherwise solicited. After solicitation and when a bid is awarded, an accounts payable will be issued. Bids shall be solicited and advertised as provided herein.
- (B) **Bid Solicitation Procedure:** Except as otherwise provided in this resolution, bids shall be solicited by publication in a newspaper of general circulation in Shawnee County for two (2) consecutive issues. Such notice shall describe: the goods, supplies, materials, equipment or services to be purchased, the manner, time and place by which bids shall be submitted, and the time and place where such bids shall be opened.
- (C) **Notices Required in Bid Specifications:** All specifications issued under authority of this resolution shall alert all potential bidders to pertinent affirmative action and anti-discrimination laws. All specifications shall also include language notifying all potential bidders that the Board reserves the right to accept or reject any or all bids and the right to waive any or all informalities or irregularities therein. All specifications for bids shall notify bidders that the Board reserves the right to negotiate or rebid any purchase at the Board's discretion.
- (D) **Opening of Bids:** In all instances in which formal written bids are received, bids shall be publicly opened, read aloud and properly recorded on a tabulation sheet. The Board shall evaluate the bids received and make a final decision regarding the award based upon the criteria contained in paragraph (E) below.
- (E) **Bid Awards:** Except as otherwise provided in this resolution, contracts for the purchase, rental or lease of goods, supplies, materials, equipment, or services shall be awarded on the basis of competitive bids to the lowest and/or best bidder, taking into consideration conformity with the specifications, terms of delivery and other conditions imposed in the solicitation for bids.
- (F) **Rebid Procedure:** The JEDO Board may elect to rebid any item(s) to be purchased or it may elect to negotiate. If the Board authorizes negotiations, the Board shall negotiate

with the lowest bidder first. If negotiations fail with the lowest bidder, the Board may authorize negotiations with the next lowest bidder and each bidder in sequence through all bidders until a satisfactory price can be agreed upon. At any time during negotiations the Board may terminate negotiations or order that the purchase be rebid.

- (G) **Bid Acceptance:** When the JEDO Board accepts a bid, the amount thereof shall be charged against the current appropriation by issuing an accounts payable. All proposed purchases must include an identified funding source. If a contract for services is awarded, a contract payable will be issued.
- (H) **Exceptions to Competitive Bidding Procedure:** The procedures required by this resolution shall not apply to contracts for professional services, including but not limited to: contracts for economic development services, legal counsel, real estate professional services, appraisers, engineers, architects, expert witness services, title/abstracting services or costs for legal matters. The procedures required by this resolution shall not apply to the purchase of contracts of insurance.
- (I) **Emergency Purchases:** When in the opinion of the JEDO Board, an emergency exists which requires the immediate purchase, lease or rental of goods or services, the Board may procure such goods or services without soliciting bids.
- (J) **Unauthorized Purchases:** The JEDO Board may refuse to authorize payment for any contract or purchase that has been made or entered into in violation of this resolution. After a hearing in an open public meeting, the Board may authorize payment for any contract or purchase which has been made or entered into if it finds the purchasing procedures as set out in this resolution were unintentionally not followed.
- (K) **Consolidated Purchases:** It is the intent of the JEDO Board to cooperate with other governmental entities on consolidated purchases when such consolidated purchases are feasible.
- (L) **Waiver of Bid Requirement(s):** For good cause, the Board may waive any or all of the requirements of this resolution for specific purchases. Any such decision to waive the requirements of this resolution shall be made at an open public meeting.
- (M) **Effective Date:** This resolution shall take effect upon publication in a newspaper of general circulation in Shawnee County, Kansas.

JOINT ECONOMIC DEVELOPMENT ORGANIZATION



Vic Miller
JEDO Board Chair