

TOWN OF MONROE,
STATE OF INDIANA

ORDINANCE No.: 2024- 2

SHORT TITLE: AN ORDINANCE TO RESCIND ORDINANCE NO. 2019-6
AND DESIGNATING PURCHASING AGENTS
FOR THE TOWN OF MONROE AND ESTABLISHING
A PURCHASING AND PROCUREMENT POLICY AND
DESIGNATION OF AUTHORIZED AGENTS

WHEREAS, Indiana Code § 36-1-3, et seq. confers upon units of government within the State of Indiana such powers as necessary or desirable to conduct the affairs of local government;

WHEREAS, The Town of Monroe is a municipality within the State of Indiana, and Indiana Code § 36-5-2-2 provides that the Town Board for the Town of Monroe (hereinafter referred to as the “Town Board”) is the legislative body for the Town of Monroe;

WHEREAS, Indiana Code § 36-5-2-9 provides that a legislative body may adopt ordinances and resolutions for the performance of the functions of the town;

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

WHEREAS, Indiana Code § 5-22-8-2 authorizes the Town Board to designate purchasing agents for the governmental 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;

NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE BOARD OF THE TOWN OF MONROE, ADAMS COUNTY, INDIANA, AS FOLLOWS:

SECTION 1. PURPOSE: The purpose of this Ordinance is to establish Town Board as the purchasing agency under Indiana Code § 5-22-2-25 which is authorized to designate purchasing agents and establish policies and rules for public purchasing as defined in Indiana Code § 5-22, et seq., § 5-23, et seq., and § 36-1-12, et seq.

SECTION 2. DESIGNATION OF PURCHASING AGENTS: The Town Board is the “Purchasing Agency” as defined by Indiana Code § 5-22-2-25 and is also hereby designated as the “General Purchasing Agent” for and on behalf of the Town of Monroe government is authorized to exercise full authority for town 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 town purchases and to delegate authority to other purchasing agents named herein.

SECTION 3. LIMITED PURCHASING AGENT: The Town Board hereby designates “Limited Purchasing Agent” and delegates authority for town 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 Town Board hereby designates the Clerk-Treasurer for the Town of Monroe and the Superintendent for the Town of Monroe as the limited purchasing agents for the Town of Monroe.

SECTION 4. LIMITATION OF AUTHORITY: The limited purchasing agent shall have the authority to purchase supplies and services on behalf of the Town of Monroe, subject to final approval and allowance of the claim by the Town Board. 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 outlined herein shall be made at the risk of the limited purchasing agent.

SECTION 5. PROCUREMENT THRESHOLDS AND PROCEDURES:

A. Purchases of \$5,000.00 and less: If said purchase is within the budgeted amount for a particular item or class of items pursuant to the budgets appropriated by the Town Board said purchase may be made without first obtaining quotes or bids or obtaining approval of the Town Board. If said purchase is NOT within the budgeted amount for a particular item or class of items, the designated agent shall obtain at least one (1) bid or quote and present the same to the Town Board to obtain approval for said expenditure. The purchasing agent shall designate the source of funds to be used for the purchase and obtain an appropriation of funds from the Town Board if an existing fund with a sufficient balance can not be identified and approved by the Town Board.

B. Purchases over \$5,000.00 but less than \$20,000.00: The designated agent shall obtain at least one (1) bid or quote and present the same to the Town Board to obtain approval for said expenditure.

C. Purchases over \$20,000.00 but less than \$50,000.00: The designated agent shall solicit and attempt to obtain at least two (2) quotes and present the same to the Town Board to obtain approval for said expenditure.

D. Purchases over \$50,000.00 but less than \$150,000.00: Pursuant to Indiana Code § 5-22-8, et seq., the designated agent shall obtain three (3) quotes and present the same to the Town Board to obtain approval for said expenditure.

E. Purchases over \$150,000.00: The designated agent shall solicit sealed bids in the manner specified by Indiana Code § 5-22-7, et seq., § 5-23, et seq., and § 36-1-12-4, respectively concerning the invitation of quotes and competitive bidding and the Town Board must approve said proposed expenditure.

SECTION 6. APPLICATION: The procurement policies established herein shall apply to all Town of Monroe expenditures, to include the spending of ARPA funds and/or any other federal funds.

SECTION 7. REPEAL: This Ordinance shall replace and repeal all current spending and procurement policies of the Town of Monroe, including, but not limited to, Ordinance 2019-6.

SECTION 8. SEVERABILITY: If any section, provision, or party 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 adopted by the Town Board of the Town of Monroe, Adams County, Indiana at its regular meeting on this 14 day of March, 2024, with the following vote of 3 Yes and — Nays.

Town Board for the Town of Monroe,
County of Adams, State of Indiana

David Bard
David Bard, Town Board Member

Josh Geerken
Josh Geerken, Town Board Member

Mike Geels
Mike Geels, Town Board President

ATTEST:

Rachel Tague
Rachel Tague, Monroe Clerk-Treasurer