

**COUNTY OF YORK, COMMONWEALTH OF PENNSYLVANIA
ORDINANCE NO. 1995-08**

**AN ORDINANCE MANDATING A PROCUREMEMENT PROCEDURE FOR
ALL COUNTY PURCHASES PAID FOR BY COUNTY FUNDS**

BE IT AND IT IS HEREBY ORDAINED THAT:

ARTICLE I

Procurement Authority and Procedures

A. All purchases of equipment, supplies or property of any type or services of any type, whether required to be bid or exempted by law, by any County officer or employee, first shall be approved by the County Commissioners who, by law, are designated as the sole contractors for the County. 16 P.S. Section 1801, Act of April 11, 1959, P.L. 17, Section1, as amended.

B. No contract, oral or written, whether for purchase or lease, for any goods, services or real estate, not approved by the County Commissioners shall be enforceable by any party.

C. Recognizing the risk and complexity of government, including the computerized payment of bills and the need to protect County funds from the payment of unauthorized contracts, no payment by the County shall be deemed a ratification of any contract for goods or services unless there is evidence that the County Commissioners authorized the payment by a writing, signed or initialed by them, or another person authorized in writing by them to approve such contract.

D. All contracts over \$10,000 for goods and services may be submitted to the County Solicitor, by the County Commissioners, for opinion on whether or not competitive bidding is required and whether the contract is in acceptable legal form. No person shall divide any application for goods, services, or other procurement into smaller units to avoid the need for competitive bidding. Any contract thought not to require competitive bidding shall be submitted with a statement of facts that purport to justify making the contract without following the competitive bidding procedure.

E. The County Commissioners may make such regulations as they deem necessary to carry out the intent of this Ordinance.

ARTICLE II

Payment of Counsel Fees

Notwithstanding any other ordinance, rule or regulation, no special counsel fees shall be paid by the County for the defense of any prosecution hereunder, unless the County Commissioners, after a thorough investigation of the facts of the matter, shall specifically provide otherwise.

ARTICLE III

Penalties

Any person who shall willfully and intentionally violate this Ordinance or any regulations promulgated thereunder, shall be guilty of a summary offense and shall, upon conviction thereof, be fined not less than \$50 nor more than \$500 for the first offense before the District Justice having jurisdiction of the matter.

For second and subsequent offenses, the fine shall not be less than \$300 nor more than \$500.

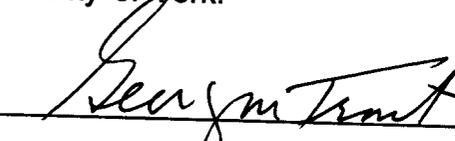
ARTICLE IV

Effective Date

This Ordinance shall become effective immediately.

DULY ENACTED AND ORDAINED this 15th day of February, 1995, by the Board of Commissioners of York County, Pennsylvania, in lawful session duly assembled.

County of York:







Board of Commissioners

Attest:



Chief Clerk

The above Ordinance was ordained, enacted and adopted this 15th day of February, 1995, at a regular meeting of the Board of Commissioners of the County of York, Pennsylvania, upon motion of Robert A. Minnich seconded by Newton D. Brown, and passed with a vote of 3 Yes and No.