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RESOLUTION # 46-2023  
GENERAL CODE OF ONEIDA COUNTY, WISCONSIN  
ORDINANCE AMENDMENT #03-2023

Resolution to Amend Section 3:09 Purchasing of the Oneida County Code to reflect procedural improvements to purchasing and vendor payment processes.

Ordinance Amendment offered by the Supervisors of the Administration Committee

WHEREAS, Oneida County current processes relative to purchasing and vendor payments are paper-driven, use legacy software solutions which are not integrated and at end-of-life, and therefore result in duplication of efforts, opportunities for human-error, and stale fiscal information; and

WHEREAS, Oneida County is investing in a fully-integrated Enterprise Resource Planning (ERP) system for financial processes including, but not limited to, accounts payables, accounts receivables, accounting, budgeting, cash receipting, and purchasing scheduled to "go live" during 2023; and,

WHEREAS, the ERP upgrade will permit the County to improve the efficiency of its fiscal processes while at the same time improving internal controls, and in doing so requires modifying outdated language in the current Oneida County Code;

**NOW, THEREFORE, THE ONEIDA COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS FOLLOWS:**

Section 1. Any existing ordinances, codes, resolutions, or portions thereof in conflict with this ordinance shall be and hereby are repealed as far as any conflict exists.

Section 2. This ordinance shall take effect the day after passage and publication as required by law.

Section 3. If any claims, provisions or portions of this ordinance are adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby.

Section 4. Section 3.09 of the General Code of Oneida County, Wisconsin, "Purchasing" is amended as follows [additions noted by underline, deletions noted by ~~strikethrough~~]:

§ 3.09. Purchasing.

(1) General Provisions.

(a) The purpose of this procedure is to ensure the County's funds are appropriately spent in the most-cost-effective manner and that the purchase has been approved by the required administrative hierarchy.

(b) The County will not enter into any procurement contracts or commitments with a suspended or debarred vendor or business. ~~Verification can be completed through the System Awards Management System (SAM). The County prohibits awarding any contract or purchase agreement with any suspended or debarred vendor.~~

(c) Purchases of supplies, materials, equipment or nonprofessional services by County departments and committees, except highway purchases which are covered by Subsection (2), shall be in conformity with prior budgetary approval for such expenditures by the County Board. If such purchases have been anticipated and are specifically itemized in the departmental budget, no additional County Board approval is necessary, and the committee of jurisdiction may authorize the purchase. If such purchases have been anticipated and are funded from continuing appropriations, funds carried-forward

52 from a prior fiscal year budget, no additional County Board approval is necessary, and the  
53 committee of jurisdiction may authorize the purchase.

54 (d) If such purchases have not been anticipated and have not been specifically  
55 itemized in the departmental budget or are not specifically funded from continuing  
56 appropriations, prior approval of the Administration Committee Committee of Jurisdiction  
57 shall be required if the anticipated purchase price does not exceed \$25,000. Upon  
58 obtaining such approval, the committee of jurisdiction may authorize the purchase.

59 (e) If the purchase has not been anticipated and has not been specifically itemized in  
60 the departmental budget, or is not specifically funded from continuing appropriations, prior  
61 approval of the County Board shall be required for purchases which are anticipated to cost  
62 in excess of \$25,000 through a separate resolution. (excluding vehicles).

63 (f) The Office of the Oneida County Sheriff may authorize purchases that do not  
64 exceed the Sheriff's Office annual budget and continuing appropriations accounts in order  
65 to maintain the highest level of public safety.

66 (f) ~~Purchases that will be funded by a continuing appropriation should be approved by the~~  
67 ~~committee of jurisdiction prior to the purchase. In an emergency situation, approval by the~~  
68 ~~committee of jurisdiction Chair is allowed prior to purchase, provided that the committee~~  
69 ~~of jurisdiction is thereafter given prompt written notice of the action.~~

70 (g) Purchase Orders

71 1. Departments may submit a Purchase Requisition to the Finance Department for  
72 contracts to purchase goods or services for a total annual amount under \$25,000. Splitting  
73 a single contract or purchase into two or more components so that each purchase  
74 requisition is under the \$25,000 threshold is prohibited.

75 2. Departments must obtain committee of jurisdiction approval for any Purchase  
76 Requisition for contracts to purchase goods or services for a total annual amount of  
77 \$25,000 or more, and after receiving such approval may then submit the Purchase  
78 Requisition to the Finance Department.

79 3. Appropriately Approved Purchase Requisitions submitted to the Finance  
80 Department will be converted to a Purchase Order which will encumber funding for use of  
81 the specified purposes.

82 4. Departments may request the Finance Department to cancel and or liquidate any  
83 or all a Purchase Order once a project or contract is completed and / or cancelled.

84 5. Departments may increase Purchase Orders via a Change Order request  
85 submitted to the Finance Department. Change Orders must receive prior committee of  
86 jurisdiction approval if original Purchase Order plus any subsequent Change Orders will  
87 result in the total value of the contract exceeding \$25,000.

88 6. Departments must confer with the Finance Department to identify Open Purchase  
89 Orders to be cancelled or liquidated at the close of the fiscal year.

90  
91 (2) Highway Purchases.

92 (a) Pursuant to § 83.015(2), Wis. Stats., the Highway Committee shall purchase such  
93 highway equipment as it deems necessary to properly carry on the work of the department  
94 and trade or sell such used equipment as may be considered to be for the best interests  
95 of the County, subject to the following requirements:

96 1. Revolving funds accumulated for such purpose or appropriations made for such  
97 purpose are available.

98 2. Subject to the provisions of Subsection (2)(b) below, contemplated purchases of  
99 any complete unit of equipment having a value of \$100,000 or more shall require prior  
100 approval by the County Board.

101 (b) If the Highway Committee, after meeting to consider the alternatives available to  
102 it, determines that an emergency situation exists which can only be resolved by the

103 immediate purchase of equipment, any one complete unit of which exceeds \$100,000,  
104 prior to when a County Board meeting is or can be timely scheduled, the Highway  
105 Committee may purchase such equipment, provided that members of the County Board  
106 are thereafter given prompt, written notice of the action.  
107

108 (3) Procedure for the Purchase of Materials and Services.

109 (a) Unless otherwise permitted by Wisconsin Statutes or this Code, all contracts for  
110 public works shall be let pursuant to Wisconsin State Statutes, as amended from time to  
111 time.

112 (b) All contracts for non-public-works purchases up to \$3,000 (\$2,000 for purchases  
113 subject to the Davis-Bacon Act as amended) do not require quotes. An effort should be  
114 made to distribute these purchases evenly to qualified suppliers.

115 (c) All contracts for non-public-works purchases exceeding \$3,000, but less than  
116 \$50,000 (excluding vehicles), require written quotations from one or more vendors (if  
117 available). ~~Each department is required to keep a record of the quotes received~~  
118 Departments shall keep a record of the quotes received.

119 (d) All contracts for non-public-works purchases exceeding \$50,000 will be required  
120 to be let by sealed bid, subject to Subsection (3)(e) below.

121 (e) Contracts for bid shall be advertised in the official County newspaper at least one  
122 time after being approved as to form and content by the committee of jurisdiction. Where  
123 the best interests of the County will be better served, the committee may instead advertise  
124 in other publications. Bids will be opened publicly. Fixed-price bids are usually awarded to  
125 the lowest bidder (based on fixed price) given all the material terms and conditions of the  
126 invitation for bids are met. Requests for proposals, usually for professional services and  
127 other non- public-works (such as, but not limited to, architectural, engineering and other  
128 professional services, or other non-public-works items or services, etc.), are awarded to  
129 the most qualified competitor, with compensation subject to negotiation. All bids submitted  
130 shall be filed with the County Clerk by the committee of jurisdiction after the purchase is  
131 completed.

132 (f) Bid specifications approved by the committee of jurisdiction setting forth standards  
133 of quality and quantity, terms, conditions and reservations shall be prepared, and a notice  
134 of availability of the same shall be published as part of the advertisement required by  
135 Subsection (3)(b). Bid specifications shall include the minimum insurance coverage as  
136 established by the Administration Committee pursuant to § 2.36(5) of this Code of General  
137 Ordinances, except that such coverages may be changed by the committee of jurisdiction  
138 with the approval of the Administration Committee after consultation with the County's  
139 insurance risk counselors. In the case of all contracts, the County's risk counselor's  
140 opinion shall be obtained concerning the types and amounts of insurance to be carried.  
141 The best interests of the County shall be given primary consideration under this section.

142 (g) Any variance from the procedures listed in Subsection (3)(a) through (f) above  
143 must be preapproved by the Corporation Counsel Office.

144 (h) The following contract agreements are exceptions and shall be executed as  
145 provided:

146 1. Landfill contracts with haulers and users of the Oneida County Landfill and  
147 contracts with other landfills or solid waste operations shall be executed by the Chairman  
148 of the Public Works and Solid Waste Committee and the Solid Waste Administrator.

149 2. Service contract agreements for the Department of Social Services shall be  
150 entered into by the Social Services Director where they involve confidential matters, and  
151 otherwise by the Social Services Director with the approval of the Social Services  
152 Committee.

153 3. Collective bargaining agreements shall be executed by the Labor

154 Relations/Employee Services Committee and the ~~Labor Relations/ Employee Services~~  
155 Human Resources Director upon ratification by the County Board.

156 4. Individual employment contracts, including contracts for professional services,  
157 shall be entered into by the Chairman of the supervising committee with the approval of  
158 the committee and with the approval of the Labor Relations/Employee Services  
159 Committee.

160 5. Multidepartment service/maintenance contracts shall be entered into by the  
161 Buildings and Grounds Committee; service/maintenance contracts for equipment unique  
162 to a specific department shall be entered into by the department head with the approval  
163 of the committee of jurisdiction.

164 6. Contracts between County departments shall be entered into by the respective  
165 department heads, when fiscal conditions are identified within those contracts they shall  
166 also require with the approval of the committees of jurisdiction.

167 7. Except as otherwise stated in the General Code of Ordinances for Oneida County,  
168 contracts between County departments and entities outside the County structure (not  
169 including those contracts in Subsection (3)(h)10 below) shall be entered into by the County  
170 Board Chairman and the Chairman of the committee of jurisdiction or by the department  
171 head if expressly authorized by the County Board. ~~Any County elected or appointed official~~  
172 ~~or employee who is required to provide their social security number or other personal~~  
173 ~~information as part of a contract or grant agreement process shall be indemnified and held~~  
174 ~~harmless by the County from any consequences resulting from either the disclosure of~~  
175 ~~such information or the mismanagement of such contract or grant by others.~~

176 8. The Public Works and Solid Waste Highway Committee may enter into any  
177 contract authorized by the provisions of Ch. 83, Wis. Stats.

178 9. All deeds, conveyances or leases of real estate and contracts and agreements  
179 relating to deeds, conveyances or leases of real estate shall be made at the direction of  
180 the County Board and shall be signed by the County Clerk with a County Seal attached.  
181 Access permits across County Forest Lands shall be executed by the Forest Director.

182 10. Contracts with the State of Wisconsin or any of its various agencies shall be signed  
183 by the appropriate department head after following the County contract review procedure.  
184 Central Purchasing. Consumable office supplies and materials for the County may be  
185 ordered through and by the Finance Department. ~~Departments shall first check pricing~~  
186 ~~under central purchasing contracts established by the Finance Department, and only~~  
187 ~~make purchases outside of those contracts if the Department is able to secure more~~  
188 ~~favorable pricing, or must procure an item which is not in stock under the central~~  
189 ~~purchasing contract,~~

190  
191 ~~(4) Central Purchasing. All consumable office supplies and materials for the County shall~~  
192 ~~be ordered through and by the Finance Department. Exceptions to the foregoing must be~~  
193 ~~approved in advance by the Finance Director.~~

194 ~~(a) Contracts for office supplies shall be entered into by the Finance Director with the~~  
195 ~~approval of the Administration Committee.~~

196  
197 (4) Disbursement of Funds; Exception.

198 (a) Submitting Invoices for Payment.

199 1. Invoices submitted related to an open Purchase Order may be processed for  
200 payment by the Finance Department, and disbursed by the County Treasurer, upon review  
201 and approval of the requesting department. The requesting department shall submit to  
202 their committee of jurisdiction all Purchase Order activity in the previous month

203 2. Invoices of \$25,000 or less for goods or services may be processed for payment  
204 by the Finance Department, and disbursed by the County Treasurer, upon review and

205 approval of the requesting department. Splitting invoices or purchases into two or more  
206 components so that each invoice is under the \$25,000 threshold is prohibited. The  
207 requesting department shall submit to their committee of jurisdiction all invoice payment  
208 activity in the previous month

209 3. Invoices which are not related to an open Purchase Order, and are in excess of  
210 \$25,000, require the Department obtain committee of jurisdiction approval prior to being  
211 submitted to the Finance Department for payment. The requesting department shall  
212 submit to their committee of jurisdiction all invoice payment activity in the previous month.

213 4. If the payment of an invoice causes any line item to exceed the amount budgeted for  
214 that line item, the department head shall follow the procedure as set forth in Chapter 3.11.  
215 § 3.11.

216 (b) Exceptions. Emergency Purchase Orders may be issued for direct payment of  
217 invoices for fuel and utilities; employee benefit obligations; court-ordered payment (e.g.  
218 juror payments, child support garnishments, youth/adult placements via the Department  
219 of Social Services); bona fide operating and / or public safety emergencies; and / or  
220 settlements related to insurance claims or law suits if the due date is prior to the next  
221 scheduled meeting of the committee of jurisdiction. The amounts shall be paid immediately  
222 upon the written recommendation of the department head. Such invoices shall then be  
223 reported to the appropriate committee of jurisdiction for at its next meeting.

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226 ~~(5) Audit; Exception.~~

227 ~~(a) Submitting Invoices for Payment. Invoices for payment for all construction, repair,~~  
228 ~~building, furnishing of supplies or materials, equipment and services shall be reviewed for~~  
229 ~~recommendation by the department head and approved by the appropriate committee of~~  
230 ~~jurisdiction. All invoices shall then be submitted to the Finance Department for payment.~~  
231 ~~If the payment of an invoice causes any line item to exceed the amount budgeted for that~~  
232 ~~line item, the department head shall promptly notify their committee of jurisdiction and the~~  
233 ~~Finance and Insurance Committee following the procedure as set forth in § 3.11.~~

234 ~~(b) Exceptions. Direct payment of invoices for vehicles, fuel and utilities, supplies,~~  
235 ~~materials, equipment and services which are subject to a discount if paid by a date prior~~  
236 ~~to the next scheduled meeting of the committee of jurisdiction shall be paid immediately~~  
237 ~~upon the written recommendation of the department head and approval of the Finance~~  
238 ~~Director. Such invoices shall then be submitted to the appropriate committee of jurisdiction~~  
239 ~~for approval at its next meeting. Direct payment of claims shall also be paid immediately~~  
240 ~~when authorized by specific committee of jurisdiction or County Board approval or both if~~  
241 ~~necessary.~~

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243 (5) Ethical procurement. All parties involved with the procurement of goods and  
244 services on behalf of Oneida County shall promote good governance. Activities which  
245 violate the public trust are prohibited.

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247 (6) Noncompliance. Purchases or orders for construction, repairs, building, furnishing  
248 of supplies or materials, equipment, vehicles or services in violation of this section by any  
249 employee, department head or elected official shall not be considered the property or the  
250 responsibility of Oneida County, unless ratified by specific County Board action.

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253 Approved for presentation to the County Board by the Administration Committee this 10<sup>th</sup>  
254 day of April, 2023.

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Consent Agenda Item:  YES  NO

Vote Required: Majority =  2/3 Majority = \_\_\_\_\_ 3/4 Majority = \_\_\_\_\_

The County Board has the legal authority to adopt: Yes  No \_\_\_\_\_ as reviewed by the Corporation Counsel, \_\_\_\_\_, Date: 4.10.23

Offered and passage moved by:

[Signature]  
Supervisor  
[Signature]  
Supervisor  
[Signature]  
Supervisor  
[Signature]  
Supervisor  
[Signature]  
Supervisor

21 Ayes  
0 Nays  
0 Absent  
0 Abstain  
X Enacted

by the County Board of Supervisors this 18<sup>th</sup> day of April, 2023.

\_\_\_\_\_  
Defeated  
[Signature]  
Tracy Hartman, County Clerk

\_\_\_\_\_  
Scott Holewinski, County Board Chair

Consent Agenda

*Timmons | Cushing*

Supervisors	AYE	NAY	ABS	ABSTAIN
Almekinder	X			
Winkler	X			
Cushing	X			
Schultz	X			
Fisher	X			
Rio	X			
Ryden	X			
Kelly	X			
Schreier	X			
Jensen	X			
Timmons	X			
Fried	X			
Sorgel	X			
Newman	X			
Oettinger	X			
Briggs	X			
Harris	X			
Showalter	X			
Condado	X			
Roach	X			
Holewinski	X			
<b>TOTALS</b>	<b>21</b>			
TAGS				

Resolution # 40 – 2023: Offered by the Supervisors of the Land Records Committee to convey excess county lands LR-386-11 to Joseph P. Schachinger and Town of Little Rice.  
Resolution # 41 – 2023: Offered by the Supervisors of the Land Records Committee to convey tax foreclosed property PL-458-100 to Jerome M. Hribar.  
Resolution # 42 – 2023: Offered by the Supervisors of the Land Records Committee to convey excess county lands PL-145-6 to Amy Ruth Steele.  
Resolution # 43 – 2023: Offered by the Supervisors of the Land Records Committee to convey excess county lands MI-2330-5 to Danielle A. Kloes and Bonita L. Kloes-Peters.  
Resolution # 44 – 2023: Offered by the Supervisors of the Public Works Committee designating the week of April 17 through April 21, 2023 as Work Zone Awareness Week in Oneida County.  
Resolution # 45 – 2023: Offered by the Supervisors of the Administration Committee proclaiming April 2023 at Fair Housing Month.  
Resolution # 46 – 2023/Ordinance Amendment # 03 – 2023: Offered by the Supervisors of the Administration Committee to amend Section 3.09 Purchasing of the Oneida County Code to reflect procedural improvements to purchasing and vendor payment processes.  
Resolution # 47 – 2023/Ordinance Amendment # 04 – 2023: Offered by the Supervisors of the Administration Committee to amend Section 3.11 Budget Responsibility of the Oneida County Code to enhance budgetary reporting and controls.  
Resolution # 48 – 2023: Offered by the Supervisors of the Administration Committee to Return Coronavirus Local Fiscal Recovery Fund (CLFRF) back to Oneida County American Rescue Plan Act (ARPA) Contingency which were previously allocated in Resolution #61-2022 for the purpose of Tourist Rooming House Licensing and Enforcement Infrastructure.