

STATE OF GEORGIA

COUNTY OF CLAYTON

ORDINANCE NO. 2009- 163

AN ORDINANCE TO AMEND THE CODE OF CLAYTON COUNTY GEORGIA, AS AMENDED; SPECIFICALLY CHAPTER 2, "ADMINISTRATION", ARTICLE IV, "PURCHASES AND PROPERTY DISPOSITIONS"; TO AMEND SECTION 2-115 "SPECIAL PURPOSE PURCHASING AGENTS" SO AS TO DESIGNATE THE DIRECTOR OF THE DEPARTMENT OF INFORMATION TECHNOLOGY AS A SPECIAL PURPOSE PURCHASING AGENT; TO REPEAL CONFLICTING LAWS, ORDINANCES, AND RESOLUTIONS; TO PROVIDE AN EFFECTIVE DATE OF THIS ORDINANCE; AND FOR OTHER PURPOSES.

WHEREAS, the Clayton County Central Services Department is responsible for the procurement of goods and services with economy and quality as priorities; and

WHEREAS, the Clayton County Central Services Department seeks to ensure that end user departments will receive the requested product or service in a timely manner; and

WHEREAS, the goal of this amendment is to enable the Director of Information Technology to handle emergency situations in an expeditious manner thereby enabling the Board of Commissioners to manage purchasing issues unique in nature; and

WHEREAS, the Board of Commissioners deems it in the best interest of the County to amend the Ordinance as hereinafter set forth.

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF CLAYTON COUNTY

AND IT IS HEREBY ORDAINED

Section1. The Board of Commissioners hereby amends the Code of Clayton County, Georgia, as amended, specifically Chapter 2, Administration, Article IV, Purchases and Property Disposition, as follows:

By deleting Section 2-115 in its entirety and substituting the following:

“Section 2-115 Special Purpose Purchasing Agent.

The Director of the Department of Fleet Maintenance, the Director of the Department of Building and Maintenance and the Director of the Department of Information Technology are hereby designated as “special purpose purchasing agents” for their respective departments. The named directors are authorized to purchase materials, supplies and services for their respective departments, as “emergency purchases,” as defined in this article, where the soundness and integrity of vehicles, equipment, buildings and other public property of the county over which each director has a responsibility to maintain, repair, and/or construct is at risk. The named directors are authorized to make such emergency purchases of materials and supplies (as defined in County Code section 2-91) and contract for necessary services using such competitive procedures as circumstances reasonably permit. The nature of the emergencies and a list of all emergency purchases or contracts shall be documented by the directors and be available for submission to the Board of Commissioners and the Department of Central Services upon request. The Chairman of the Board of Commissioners shall approve all emergency purchases where the materials, supplies or services are valued at \$35,000.00 or greater and such emergency purchase shall be ratified by the Board of Commissioners at the next available Board of Commissioners meeting after the emergency.

Section 2. In the event any section, paragraph, subpart, sentence, clause, phrase, or word of the Ordinance shall be declared or adjudged unconstitutional or invalid by any Court, such declaration or adjudication shall not affect the remaining portions of this Ordinance which shall remain in full force and effect as if the portions declared invalid or unconstitutional had never been enacted into law.

Section 3. All laws, ordinances or resolutions, or parts thereof, in conflict with provisions of this ordinance are hereby repealed.

Section 4. This Ordinance shall become effective following its approval by the Board of Commissioners.

SO ORDAINED, this the 13th day of October, 2009

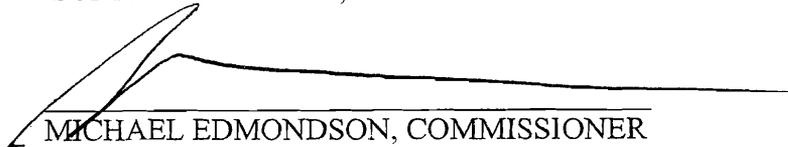
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