

Montgomery County Board of Commissioners

Ordinance 2020 – 24

Amending Purchasing Policies

Whereas, Section 36.09, of the Montgomery County Code of Ordinances details the purchasing policies of the County; and

Whereas, the Indiana State Legislature enacted Senate Enrolled Act 197 (SEA 197) which prohibits municipalities from purchasing technology from prohibited persons; and

Whereas, the Public Safety and Homeland Security Bureau determines, maintains and publishes notice of individuals and companies that are considered prohibited persons subject to SEA 197; and

Whereas, the Montgomery County Board of Commissioners finds that it is in the best interest of the County and its citizens to comply with the provisions of SEA 197 by adding a new section, Section 36.09(H), to the Montgomery County Code of Ordinances.

Therefore, it is ordained that a new section, Section 36.09(H), is added to the Montgomery County Code of Ordinances and this new section shall read as follows:

“§ 36.09 PURCHASING RULES.

....

(H) Prohibited Technology Purchases.

(1) As used in this section, “prohibited person” refers to a person that has been designated as posing a national security threat to the integrity of

communications networks or the communications supply chain. Pursuant to 47 CFR 54.9, prohibited persons are designated by the Public Safety and Homeland Security Bureau (PSHSB).

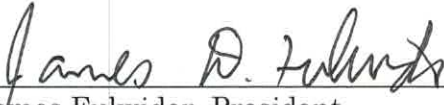
(2) Money appropriated by Montgomery County may not be granted to or used to purchase or obtain equipment or services produced or provided by a prohibited person. A prohibited person cannot be considered responsible or best for purposes of determining whether a bidder or offeror is responsible or best when awarding public works contracts or any other contract with Montgomery County.”


It is further ordained that this ordinance shall become effective upon adoption.

It is further ordained that all other provisions of the Montgomery County Code of Ordinances which are not specifically amended by this ordinance shall remain in full force and effect.

Ordained this 13th day of July, 2020

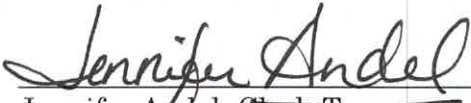
**Montgomery County
Board of Commissioners:**


James Fulwider, President


John Frey, Vice President


Dan Guard, Member

Attest:


Jennifer Andel, Clerk-Treasurer
Auditor