



Request Date: 01/05/2022

Rx: _____

Milwaukee County Department: District Attorney's Office - 450

Department Requestor Name: Scott LaFleur

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Department Head Signature: *Scott LaFleur* having reviewed exception.

As Milwaukee County General Ordinance Chapter 32 provides the purchase or contract for all supplies, material, equipment and contractual services shall be based upon competitive bids or by RFP in negotiated acquisitions. The acquisition above is an allowable exception based upon:

- 32.25(7) (1) When, after soliciting sealed bids, it is determined by the procurement director or his or her designee, and verified by the purchasing standardization committee, that no valid bids have been received, the purchasing standardization committee may authorize procurement without competition.
- 32.25(7) (2) Purchases from a single source which, by their nature, are not adapted to award by competitive bidding as determined by the procurement director or his or her designee and approved by the purchasing standardization committee. (See listing on reverse side and identify single source approval)(Section A)
- 32.25(7) (4) Discretionary purchase of ten thousand dollars (\$10,000.00) or less as authorized in subsection 32.25(2) of this section. (This form is not required for these dollar level acquisitions)
- 32.25(7) (5) Any contract for a public works construction project where the director of public works or his/her designee has recommended, and the procurement director or his or her designee has agreed in writing, that the procurement director or his or her designee shall negotiate for the purpose of services, supplies, materials or equipment needed for such project.
- 32.25(7) (c) Purchases required for immediate budgeted repairs, exclusive of inventory items. (See listing on reverse side and identify permitted condition that exists) (Section B)
- 32.28. Emergency purchases. When immediate action is required to preserve property or protect life, health or welfare of persons, any department head is authorized to procure equipment, supplies and services directly in the open market. The procurement division shall be consulted and/or notified. Such action shall be reported, in writing, within forty-eight (48) hours after initial emergency action, in the county board, county executive and department of administration.
- 32.31. Cooperative purchasing. The procurement division is authorized to join with other units of government, and with quasigovernmental agencies funded in whole or in part by the county, in cooperative purchasing plans when in the best interests of the county as determined by the procurement director or his or her designee. (See reverse side for documentation required) (Section C)

Section A - 32.25(7) (2) – Administrative Sole Source Guidelines:

Per April 7, 1999 – “Administrative Sole Source Decisions” can only be made by Purchasing Administrator. Administrative Sole Source Decisions must fit one of the following categories:

- Items that are sole source in the true sense of the words. They are not legally available from any other source. (Film rental and any other commodity available from only one source.)
- The purchase of used equipment when quality of products cannot be determined.
- The expansion of hardware and software packaged for computers. Reasonable justification must be provided showing that other brands of hardware and/or software would jeopardize performance, maintenance, problem solving, warranties or resale value of equipment.
- Purchase made for trial and evaluation prior to specification development. Departments will be required to report back in writing the results of the trial and evaluation.
- The purchase of plants from out of state. Past experience has demonstrated that supplies of certain plants are liquidated before the bid process can be completed. Suppliers need immediate commitment. This will not be the case for all plant purchases but the Purchasing Administrator will screen the requests and decide what request are appropriate.
- The purchase of resale items to take advantage of special offers and/or price breaks offered at resale material shows. The Purchasing Administrator shall screen these requests and decide when the sole source request is justified.
- The purchase of toner and developer for copy machines. There are some instances when off brand toners and developers create extensive maintenance problems. In these cases the Purchasing Administrator may purchase the toner and developer from the manufacturer of the copy machine. The department will report back in writing, the effect on the maintenance problems.
- The purchase of chemicals and reagents where extensive evaluation is required to make changes.
- The purchase of supplies to satisfy a Stock Out need that exceeds \$1,000.
- A purchase to satisfy an Unplanned Need that exceeds \$1,000. An Unplanned Need could be the purchase or rental of a commodity or service that is the result of a special event or unanticipated contingency.
- The purchase of developed or existing software is a procurement item. The Purchasing Administrator has administrative Sole Source approval for all software purchased.
- The purchase of entertainment for events sponsored by Milwaukee County.
- The purchaser of hotel facilities/services for events sponsored by Milwaukee County.
- The purchase of food on the overrun market when availability when precludes bidding. NOT TO EXCEED \$25,000.
- The purchase of Year 2000 items, not anticipated.

Per Purchasing Standardization Committee Sole Source. Given prior approval and associated end date:

- Water treatment service/ product. Approved 5/19/1982
- Advertising - magazines & newspapers. Approved 1/18/1984
- Books, publications, periodicals & subscription. Approved 1/18/1984
- Memberships. Approved 1/18/1984
- Blood. Approved 1/18/1984
- Snake Anti-Venom. Approved 1/18/1984
- Allergy Antigen. Approved 1/18/1984
- Lab Services. Approved 1/18/1984
- 25 yr. Recognition dinner - whenever a County facility is used. Approved 3/21/1984
- Chain Link Freeway Fencing from U.S. Steel. Approved 2/21/1987
- Original Equipment Manufacturer's Maintenance. Approved 2/16/1994
- Catering Services - Jewish Community Center. Approved 1/17/2001
- Alcoholic Beverage. Approved 4/18/2001
- Milwaukee County Information Technology Standards. Approved 7/18/2001
- Produce. Approved 1/16/2002
- Copier Subcommittee. Approved 1/16/2002
- Catering Bid (Senior Meal Program). Approved 3/11/2002
- Motorola Radio Equipment & Signal Enhancement. Approved 1/17/96 & 8/7/96

Section B: 32.25(7) (c) - Immediate Budgeted Repair:

An Immediate Budgeted Repair is the labor and/or materials necessary to fix or replace what is torn, broken or in other state of disrepair. Immediate action might be required if one or all of the following conditions exist:

- Inconvenience to the public
- Limits public use
- Makes a department less productive and/or inefficient
- Revenues would be lost
- Vulnerable to penalties

Explanation: _____

Section C: 32.31 - Cooperative/Consortium:

Entity Name: _____ Contract Name: _____

Contract #: _____ Contract Expiration Date: _____ Contract Vendor Name: _____

Please submit: _____ Copy of Entity Contract. _____ Contract Vendor's Approval to Piggyback.