

Introduced by the County Services Committee of the:

**INGHAM COUNTY BOARD OF COMMISSIONERS**

**RESOLUTION AMENDING THE PURCHASING POLICY TO INCLUDE LABOR,  
EMPLOYMENT, AND ENVIRONMENTAL CRITERIA IN EVALUATING BIDS AND  
PROPOSALS**

**RESOLUTION #20 – 186**

WHEREAS, the Ingham County Board of Commissioners (Board) purchases goods and services from a multitude of vendors; and

WHEREAS, the Board is committed to ensuring impartiality, transparency, professionalism, equal treatment, and the highest standards of conduct with respect to its relationships with all current and potential County vendors; and

WHEREAS, the Board expects that, as a condition for doing business with the County, all vendors place value on the importance of creating good-paying jobs and are good stewards of the environment.

THEREFORE BE IT RESOLVED, that the Ingham County Board of Commissioners hereby approves amending the purchasing policy to include the following criteria in evaluating formal bids and proposals:

- The potential vendor's history of compliance with labor and employment laws and regulations, including the Workforce Opportunity Wage Act, MCL 408.411 et seq., the Fair Labor Standards Act of 1938, 29 USC 201 et seq., and the National Labor Relations Act, 29 USC 151 et seq.; and
- The potential vendor's environmental track record and sustainability practices, including the potential vendor's history of compliance with environmental laws and regulations such as the Natural Resources and Environmental Protection Act, MCL 324.101 et seq., the Clean Water Act, 33 USC 1251 et seq., and the Clean Air Act, 42 USC 7401 et seq.

BE IT FURTHER RESOLVED, that all vendors, as a condition for registering to do business with the County, shall self-certify to the County regarding any violations of environmental, labor, and employment laws and regulations of the State of Michigan or any other regulatory agency.

BE IT FURTHER RESOLVED, that all vendors shall notify the Purchasing Department of any subsequent violation of this Policy within ten (10) years after becoming a vendor; failure to do so

may result in the vendor being barred from doing business with the County for a period of up to five (5) years.

BE IT FURTHER RESOLVED, that a local vendor claiming the local purchasing preference in accordance with the Local Purchasing Preference Policy, may not be afforded the preference if it is verifiably proven that the local vendor is found to have violated any provisions of this amended policy.

BE IT FURTHER RESOLVED, that a point ranking system may be used in the evaluation of the bids and proposals.

BE IT FURTHER RESOLVED, that if it is discovered that a vendor performing work under a contract with the County is in violation of this policy, that vendor shall be found to have committed a material breach of the contract and that vendor shall make restitution payment to the County in the amount of \$500 per day for every day that the violation occurred since signing the contract.

BE IT FURTHER RESOLVED, that upon being notified in writing by the County of violating this policy, vendors who do not agree to make such restitution shall be barred from doing business with the County for a period of not less than ten (10) years.

BE IT FURTHER RESOLVED, that the vendor may appeal any such decision to the Ingham County Board of Commissioners who shall have the final say in all matters and appeals.

BE IT FURTHER RESOLVED, that the amended policy shall be incorporated into the County's vendor registration process so that vendors are fully informed as to the County's expectations regarding vendor conduct.

BE IT FURTHER RESOLVED, that the Purchasing Department shall include in all formal solicitations and purchase orders, and legal counsel shall include in all contracts, language requiring compliance with the provisions of the amended policy.

BE IT FURTHER RESOLVED, that upon effective passage of this resolution, the Board directs the Purchasing Department to issue to all County departments and offices and legal counsel a copy of this resolution.

**COUNTY SERVICES: Yeas:** Sebolt, Celentino, Grebner, Koenig, Stivers, Maiville, Naeyaert  
**Nays:** None **Absent:** None **Approved 05/05/2020**