

The Board of County Commissioners, in and for Lake County, Ohio, met this day in regular session with the following members present:

Commissioners: Aufuldish, Sines and Troy

Commissioner Troy presented the following resolution and moved its adoption.

**RESOLUTION ADOPTING REVISED RULES GOVERNING ONLINE AUCTIONS AND E-PROCUREMENT/REVERSE AUCTIONS AND AUTHORIZING ADVERTISING THE BOARD'S INTENTION TO CONDUCT E-PROCUREMENT/ REVERSE AUCTIONS PURSUANT TO OHIO REVISED CODE**

WHEREAS, the Board of County Commissioners hereby finds and determines that all formal actions relative to the adoption of this resolution were taken in an open meeting of this Board of County Commissioners, and that all the deliberations of this Board of County Commissioners and of its committees, if any, which resulted in formal actions, were taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22 of the Revised Code, and

WHEREAS the Board of Commissioners entered an agreement with LightGov, Inc. to provide implementation, Online Surplus Property Network and E-Procurement/Reverse Auction services for Lake County and executed a new term of the agreement on June 15, 2006; and

WHEREAS, rules were previously adopted by the Board to conduct the auctions, and it is now the recommendation of the Lake County Prosecuting Attorney that this Board authorize revisions to the rules governing the Online Surplus Auction and the E-Procurement /Reverse Auction, said revised rules incorporated herein and made a part of this resolution; and

WHEREAS, pursuant to Ohio Revised Code 9.314 for procurement of services or supplies by online auction, it is now necessary to advertise immediately the Board's intention to procure services or supplies by E-Procurement/Reverse Auction twice in a newspaper of general circulation in Lake County, will remain posted continually on the Lake County website, and hereafter advertisement shall be in accordance with the revised rules.

NOW, THEREFORE, BE IT RESOLVED, that the Board of County Commissioners, in and for Lake County, Ohio, hereby authorizes revision of the rules governing Online Surplus Auctions and E-Procurement/Reverse Auction and authorizes advertising the Board's intention to conduct said E-Procurement/Reverse Auction pursuant to Ohio Revised Code 9.314 and in accordance with the revised rules hereby adopted; and

BE IT FURTHER RESOLVED, that the Clerk of the Board is hereby directed to forward certified copies of this resolution to the Lake County Auditor; Lake County Budget Director; Lake County Public Officials and Department Heads; David Engler, LightGov Inc., 860 Boardman-Canfield Rd., Ste. #204, Youngstown, OH 44512-4235; Lake County Administrator; LuVerne Vincello-Commissioners' Office; Donna Tyson and Terri Lange-Finance.

Commissioner Sines seconded the resolution and the roll being called upon its adoption, the vote resulted as follows:

"AYES": Commissioners: Aufuldish, Sines and Troy

"NAYS": None

Resolution adopted,  
Amy Elszasz, Clerk

**CLERK'S CERTIFICATION**

I, Amy Elszasz, duly appointed Clerk of the Board of County Commissioners, do hereby certify that this is a true and accurate copy of a resolution adopted by said Board on June 26, 2008, and recorded in the Commissioners' Journal, Volume 2008.

WITNESS my hand this twenty-sixth day of June, 2008, in Painesville, Ohio.

**PUBLISH: News Herald June 27, 2008 & July 11, 2008  
And posted continually on the Lake County Website**

## Lake County, Ohio

### Rules for Online Disposition of Surplus Property

Lake County is authorized by R.C. 307.12 to dispose of county-owned surplus property by online auction. The following rules governing conduct of the online auction and general terms and conditions of sale were adopted by the Board of Lake County Commissioners by resolution 20080626\C09 dated June 26, 2008.

1. A resolution expressing the Board's intent to conduct an Internet auction of county-owned surplus property defined as unneeded, obsolete or unfit for use by the county for the ensuing calendar year will be adopted annually at the first regular meeting convened by the Board each calendar year.
2. After adoption of its resolution, the Board shall advertise its intent to sell property that is unneeded, obsolete or unfit-for-use by Lake County twice in a newspaper of general circulation in Lake County. The second notice will be published no less than 10 nor more than 20 days after the first notice.
3. Lake County will post continuous notice of its internet auction in a conspicuous place in both the Lake County Administration Building and the Lake County Courthouse and on Lake County's website at [www.lakecountyohio.gov](http://www.lakecountyohio.gov).
4. Auctions of surplus property shall be conducted continuously. Access to the online auction is through the Lake County website at [www.lakecountyohio.gov](http://www.lakecountyohio.gov) under the Auction & Bids item in the left column.
5. Surplus property will first be listed for 90 days under the Classified category of Auction & Bids so that political subdivisions in Lake County may acquire the surplus property at no cost.
6. After 90 days, any surplus property remaining will be moved to the Surplus Auction category of Auction & Bids and will be listed for a period of no less than 30 days for acquisition by auction. The Board reserves the right to extend the listing period in its sole discretion in order to maximize the return to Lake County.
7. Lake County may determine minimum or reserve prices for any item or items.
8. The successful bidder shall pay applicable Lake County sales tax in effect at the time of the purchase.
9. Each item is sold "as is, where is." Lake County makes no warranties or representations of any kind with respect to any item or items of surplus property.
10. Terms and conditions of online sales are contained on Lake County's website under each surplus item listed for sale and include method of payment, location and method of removal of the items, etc. This information may also be obtained before

the auction upon request, after the terms and conditions of sale have been determined by the Board.

11. The successful bidder will be notified by e-mail from LightGov, the Internet auction service with which Lake County has contracted to conduct the auction and develop the terms and conditions of the online auction.

## Lake County, Ohio Rules for Online Procurement of Services or Supplies by E-Procurement/Reverse Auction

Lake County is authorized by R.C. 9.314 to procure services or supplies by online reverse auction. The following rules governing conduct of the online auction and general terms and conditions of sale were adopted by the Board of Lake County Commissioners by resolution 20080626\C09 dated, June 26, 2008.

1. A resolution expressing the Board's intent to conduct Internet procurement of services or supplies by reverse auction via the Internet will be adopted annually at the first regular meeting convened by the Board each calendar year.
2. "Reverse auction" means a purchasing process in which offerors submit proposals in competing to sell services or supplies in an open environment via the Internet and satisfies the requirement that Lake County procure such items by competitive sealed bids or proposals.
3. After adoption of its resolution, the Board shall advertise its intent to procure services or supplies by online reverse auction twice in a newspaper of general circulation in Lake County. The second notice will be published no less than 10 nor more than 20 days after the first notice.
4. Lake County will post continuous notice of its procurement by online reverse auction in a conspicuous place in both the Lake County Administration Building and the Lake County Courthouse and on Lake County's website at [www.lakecountyohio.gov](http://www.lakecountyohio.gov).
5. Procurement of services or supplies by online reverse auction shall be conducted continuously. Access to the online reverse auction is through the Lake County website at [www.lakecountyohio.gov](http://www.lakecountyohio.gov) under the Auction & Bids item in the left column.
6. Lake County shall solicit proposals for procurement of services or supplies through Requests for Proposals. The terms and conditions required for submitting RFPs are contained on the County's website under the Procurement Auction and RFP tabs and may include relative importance of price, evaluation factors, requirements for

performance bonds or other financial security, duration of the auction, specific terms for offeror to complete and may include provisions for Lake County to conduct discussions with responsible offerors who submit proposals that are reasonably susceptible of being selected for award. This information may also be obtained before the auction upon request, after the terms and conditions have been determined by the Board.

7. Lake County may determine a maximum or ceiling price for any item or items, which information shall be detailed in the RFP.
8. Lake County reserves the right to accept or reject any or all bids in whole or in part and to award the bid to the lowest and best or lowest responsive and responsible bidder as Lake County may determine
9. The successful bidder will be notified by e-mail from LightGov, the Internet auction service with which Lake County has contracted to conduct the reverse auction and develop the terms and conditions of the online reverse auction.