

CHAPTER 4 Finance

4.01 Allocation of Revenues. The District shall allocate revenues from the various components of the sewer service charge to costs of the District associated with the operation, maintenance, repairs, depreciation and replacement, and where applicable, interest, or retirement of debt, new construction, engineering services, legal services, and administration.

4.02 Budget

- (1) Annual Budget Review. Each year the Commissioners shall determine the costs for operation and maintenance of the District sewer system, funding of the District's replacement fund, treatment of the District's wastewater at the Neenah-Menasha Sewage Treatment Plan, transportation of the District's wastewater through the City of Neenah interceptor sewer system, the amount of any reserve funds remaining from the previous year, and the number of unit charges.
- (2) Budget Adoption. Upon completion of preparation of the annual budget, the Commissioners shall when in Session and following appropriate hearings, review, and approve the annual budget, shall set the annual sewer user fee to be charged for each residential unit charge so that the budget will be balanced and shall record such action in official minutes.
- (3) Changes to the Adopted Budget. The Commissioners may at any time by a two-thirds (2/3) vote of the entire membership, transfer any portion of an unencumbered balance of an appropriation from one fund to another fund.

4.03 Replacement Fund

- (1) The Sanitary District may maintain a replacement fund for the purpose of replacing costly equipment, buildings, and any other item as approved by the Commissioners.
- (2) Annually the Town Deputy Clerk-Treasurer may provide a replacement schedule, and the calculation for the monies needed to support the fund, as part of the budget process.

4.04 Procurement Policy

- (1) Purpose. The purpose of this Section shall be to promote the underlying purposes and policies relating to local procurement.

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- (a) To simplify, clarify and modernize the system of procurement of contractual services, material, and equipment for the District;
 - (b) To provide increased public confidence in the procedures used in public procurement;
 - (c) To ensure the fair and equitable treatment of all persons who deal with the procurement system of the District;
 - (d) To provide increased economy in District procurement activities and to maximize to the fullest extent practicable, the purchasing value of public funds of the District;
 - (e) To foster effective broad-based competition within the free enterprise system;
 - (f) To provide safeguards for the maintenance of a procurement system of quality and integrity.
- (2) Scope of Authority
- (a) The terms of this Section are applicable to all budgeted contractual services. The funding source is not relevant.
 - (b) Procurement of non-budgeted items shall be handled on a case-by-case basis by Commission resolution in accordance with the provisions of this Section.
 - (c) The Agent is hereby granted the authority to make all budgeted purchases in accordance with the provisions of this Section. The Agent is authorized to solicit all bids, quotes, or otherwise assure competitive purchasing.
 - (d) The Agent may enjoin with other entities in cooperative purchasing for the purpose of obtaining more economical rates and/or prices.
- (3) Method of Purchases. All budgeted purchases shall be made in accordance with state statute.
- (4) Competitive Sealed Bids
- (a) Where the estimated cost of the public contract and/or capital purchase exceeds the amount authorized by state statute, the Agent shall request competitive sealed bids in accordance with Wis. Stats. 60.77(6)(a) and 66.0901.

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- (b) Formal specifications for the requested item shall be prepared by the requesting department and shall include all contractual terms and conditions applicable to the procurement.
 - (1) Requirements may include such criteria to determine acceptability such as inspection, testing, workmanship, delivery, and suitability for a particular purpose.
 - (2) The criteria to be used in evaluation of the bid shall be, to the greatest extent possible, be objectively measurable, such as discounts, transportation costs, and total or life cycle costs.
 - (3) No criteria may be used in bid evaluations that are not set forth in the specifications or invitation to bid.
- (c) Bids shall be addressed to the Agent or Agent's designee, submitted sealed, and shall be clearly marked as a bid on the envelope.
- (d) The Agent or Agent's designee shall date and time stamp the sealed bid when received, and write their name or initials on the sealed bid envelope.
- (e) Bids shall be opened in public at the time and place stated in the public notice. The opening shall not occur unless it is witnessed by at least one (1) person in the employ of the District who is not opening the bids.
- (f) A tabulation for all bids received shall be made and available for public inspection.
- (g) No bid shall be accepted where the bidder is in default on the payment of taxes, licenses, or other monies due to the District or Town of Neenah.
- (h) The award of the contract shall be made by the Agent if budgeted otherwise by the District to the lowest cost responsible and responsive bidder whose bid meets the requirements and criteria set forth in the specifications and in the invitation for bids.
- (i) The District or its Agent, as appropriate, retain the right to reject any or all bids in the best interest of the District, provided such notice was given in the bid notice. In addition, the District shall have the right to reject any or all bids, if rejecting any or all bids is in compliance with State Statutes.

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- (j) Following the award of the bid, the District President or designee is authorized to sign the contractual document.

(5) **Outright Purchase**

- (a) As long as the purchase is within its specific budgeted amount, purchases less than \$5,000.00 may be made by the requesting department subject to approval by the Agent.
- (b) No purchase shall be made where the supplier is in default on the payment of taxes, licenses, or other monies due to the District or the Town of Neenah.

(6) **General Provisions**

- (a) The Agent is empowered to make such administrative requirements as may be necessary for the efficient enforcement of this Section.
- (b) The Agent has the authority to dismiss the low bid or quote based on prior bad history with the bidding/quoting entity, and the Agent has the authority to dismiss for any lawful reason pursuant to Wis. Stats. Chapter 66.0901 and Wisconsin Case Law.
- (c) Under emergency conditions, as defined, purchases may be made by authorized departmental personnel provided a report on such purchase is made to the Agent during the next normal working day and reported to the Sanitary District at their next regularly scheduled meeting.
- (d) Quotes may be negotiated in the best interest of the District.
- (e) Except in cases of emergency, the Agent shall not issue any order for a purchase unless there are sufficient unencumbered funds within the requesting departmental budget to defray the amount of such order.
- (f) The State of Wisconsin contract pricing shall be considered to have met the sealed bid and quote requirements for the purposes of this Section.
- (g) Any company authorized to work in the Town of Neenah Sanitary District No. 2 shall be required to submit proof of insurance for workers' compensation, general liability, and auto and/or contractors' equipment to the Town Deputy Clerk-Treasurer.

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(7) Disposal of District Owned Items

- (a) If the fair-market value of an item is greater than the cost to solicit a sale of the item but under \$5,000.00, the District employee responsible for the item, in coordination with the Town Deputy Clerk-Treasurer, is required to sell the item competitively.
- (b) If the fair-market value of an item is greater than \$5,000.00, the District Commissioners shall determine the best method of sale.
- (c) For the purposes of this Section, a trade-in allowance from a vendor is considered to meet the necessary disposal requirements.
- (d) District-owned items shall never be given away, except by the judgment of the Commission, where the item would have otherwise been disposed of.
- (e) The method and evaluation of determining the fair market value must be supplied with the sale monies received or with the disposal notice given to the Commissioners.

4.05 Annual Audit. The District Commission shall arrange for an audit of the District financial records at least once every year. The audit shall be conducted by a certified public accountant appointed by the Commissioners and not otherwise employed by the District.

4.06 Agreement with Town of Neenah. The Sanitary District has entered into an administrative agreement with the Town of Neenah for the Town of Neenah to provide administrative services to the District. The agreement is on file in the Town Hall Office.

4.07 Checks Returned for Insufficient Funds. There shall be assessed against every property owner or user who tenders to the Sanitary District a check for payment, and whose check is returned to the Sanitary District for the reason that the account has been closed or the account has insufficient funds to permit payment of the check, or for any similar reason, actual charges for each such check returned. These charges shall be added to the next billing to that property owner or user, and shall be subject to the same charges, assessments, and procedures for collection as set forth in this ordinance.