Cumberland Town Council

Ordinance 2020-09

Amending Purchasing Policies

Whereas, Section 00-03-32-31, of the Town of Cumberland Code of Ordinances details the purchasing polices of the Town; and

Whereas, the Indiana State Legislature enacted Senate Enrolled Act 197 (SEA 197) which prohibits municipalities from purchasing technology from prohibited person; 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 Cumberland Town Council finds that it is in the best interest of the Town and its citizens to comply with the provisions of SEA 197 by adding a new section, Section 00-03-32-31(E), to the Town of Cumberland Code of Ordinances.

Therefore, it is ordained that a new section, Section 00-03-32-31(E), is added to the Town of Cumberland Code of Ordinances and this new section shall read as follows:

“§ 00-03-32-31 PURCHASING RULES.

. . . .

(E) 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 the Town of Cumberland 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 the Town of Cumberland.”

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

**It is further ordained** that all other provisions of the Town of Cumberland Code of Ordinances which are not specifically amended by this ordinance shall remain in full force and effect.
Ordained this 1st day of July, 2020

Cumberland Town Council:

signed electronically 7/1/2020
Joe Siefker, President

signed electronically 7/1/2020
Anna Pea, Vice President

signed electronically 7/1/2020
Brian Gritter, Member

signed electronically 7/1/2020
Eddie Loud, Member

signed electronically 7/1/2020
Breck Terheide, Member

Attest:

[Signature]
Erica Salmon, Clerk-Treasurer

signed electronically 7/1/2020