

# 10 Minute Supervisor Trainings



**December 2025**

## **Kentucky's Model Procurement Code**

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As conservation districts are subdivisions of state government, they should follow Kentucky's Model Procurement Code when making purchases. When districts are open and transparent with their purchasing, the public can be assured that they are protecting taxpayer resources and not giving preferential treatment to anyone.

The Model Procurement Code can be read in total in KRS 45A. There is a lot of information in these statutes, and it's important that districts take the time to review them completely before they purchase or dispose of property. This training is a brief overview of the requirements of KRS 45A; it is not legal advice. If specific instances arise that need a more detailed interpretation, the district should consult with available legal counsel.

### **Small Purchases**

According to KRS 45A.100, districts can purchase items up to \$1,000 or have a construction project up to \$10,000 without entering the bidding process. Below that limit, each district must decide for themselves how large a single purchase can be without the board's prior approval. The statute specifically points out that a purchase can't artificially be divided to avoid the bidding process. That means if the district needs to purchase \$1,500 worth of an item, it can't break the purchase into two purchases of \$750 each to avoid bidding.

### **Competitive Bidding**

To enter into the competitive bidding process, the district needs to decide the specifications of the item it wants to buy, or service it needs performed. It also needs to decide if the bids are going to be judged based on the lowest bid price or the lowest evaluated bid price, which means that other things will be considered other than only the price. The specifications, as well as how the bids will be evaluated, must be included in the request for bids. The district must put out this notice via the internet or the local newspaper for at least 7 days prior to opening the bids. The district should open the bids at a public meeting. Once opened, the district will choose the bid that offers the best value, and the bids are entered into the public record.

## **Noncompetitive Negotiation**

Sometimes the district can enter into noncompetitive negotiation. This is specifically for when there's an emergency or when there's only one capable supplier of the commodity or service. Even if the district is going through the noncompetitive negotiation process, it should still solicit bids from at least 3 suppliers. The district still selects the bid with the best value, and all the bids are still entered into the public record.

## **Surplus Property**

When a district decides that it has property it no longer needs or wants, there's also a process for disposing of this property. First, the district should put into writing a description of the property, the intended use when it was acquired, why it is in the public's best interest to dispose of the property, and how it will be disposed. This writing should be available to the public, so it would be easiest to put it in the minutes of the meeting when the district decides to dispose of the property. It can be transferred to another governmental agency, sold at auction, or sold by sealed bid. If selling by sealed bid, the district would go through the same process as going through the competitive bidding process. If it doesn't sell at auction or no reasonable bids are received, the property can then be disposed of in any manner deemed appropriate by the district, as long as it is consistent with the public's interest.

## **Local Public Agency Procurement**

There is a section of the Model Procurement Code (KRS 45A.343 to KRS 45A.460), which has slightly different rules for "Local Public Agencies." The definition of local public agency doesn't specifically mention conservation district or watershed conservancy districts. However, districts can choose to adopt those provisions. Districts should read and understand the entire section before adoption, as different requirements are included than those outlined in this training and in the rest of the Model Procurement Code.

## **In Summary**

It is important that districts do everything they can to ensure that they are using the public's funds as wisely and as transparently as possible. By following the Model Procurement Code, districts are able to show the public that they are not giving anyone preferential treatment and that they are doing everything they can to get the best value for the public's money.