

CHAPTER 2

ADMINISTRATION

ARTICLE III. PURCHASING

Sec. 2-300. PURCHASING AGENT.

The City Council shall appoint and remove at pleasure a purchasing agent, who shall hold office until his successor is appointed, and fix his compensation.

Sec. 2-301. AUTHORITY TO CONTRACT.

No person, whether an officer or employee of the city or otherwise, whether acting or pretending to act for the city, in any capacity whatever, shall make any contract binding the city for the payment of any sum of money or create any debt or monetary obligation against the city, unless he shall have been previously lawfully authorized thereunto by the City Council.

Sec. 2-302. TYPES OF AUTHORITY TO CONTRACT.

Authorization to contract for the city for the payment of any sum of money may be special or general; provided, however, that special authority must be by vote of the City Council; and provided, further, that general authority may not be given to, or exercised by, any person or persons except the purchasing agent whose exercise of authority shall in all cases be subject to the approval of the City Council, or a city officer or employee in the regular and lawful use of a requisition, as hereinafter provided.

Sec. 2-303. PURCHASE OF GOODS.

All goods or materials for use in the administration of any department of the city, except such as may be contracted for or purchased directly by the City Council or by an officer in charge of a department under the provisions of Section 2-305 hereof, shall be contracted for and purchased by or through the purchasing agent.

Sec. 2-304. REQUISITION ORDER AND PROCEDURES.

Any officer or employee of the city, requiring in the proper performance of his duties or work the purchase of goods or materials for use therein, may apply to the purchasing agent for an order for such goods or materials. On a suitable blank provided therefor, such applicant shall describe the goods or materials required, the price thereof, and shall certify under his hand that the same are necessary for use in his department and are to be used solely for city business, specifying the department for which such requisition is made; whereupon the purchasing agent, in his discretion, shall execute and deliver to the applicant his written order, directed to the seller of such goods or materials, requesting such seller to deliver the same to the applicant for the use of such department and to send the bill for the same, accompanied by said order, to the officer in charge of the department. Such certificates and orders shall be executed in triplicate, one copy thereof to be retained by the purchasing agent and one copy thereof to be delivered by him to the officer in charge of said department.

Sec. 2-305. NO REQUISITION NEEDED.

The provisions of this Article shall not relate to any debt or monetary obligation, not exceeding the sum of fifty dollars, created, subject to the approval of the city council, by an officer in charge of a department in the ordinary administration thereof, and within the appropriation previously made to the use of such department by the City Council.

Sec. 2-306. UNAUTHORIZED OBLIGATIONS.

Any contract made, or debt or monetary obligation created, except as provided in this Article, shall be wholly without force or effect as against the city.

Sec. 2-307. PRESENTATION OF CLAIMS.

All persons having accounts or claims against the City shall present the same to the officer in charge of the department in which they arose. When approved by such officer, and accompanied by a requisition order if for goods or materials sold thereunder, they shall be delivered forthwith to the city treasurer and by him presented to the city council.

Sec. 2-308. WARRANTS, APPROVAL OF WARRANTS.

The city council may approve a warrant for the payment of any account or claim against the city; but upon the request of any member of the city council, such account or claim shall be referred to an appropriate committee, or to a special committee, who shall report thereon as soon as practicable.

Sec. 2-309. PAYMENTS OF BILLS.

The City Manager, or his designee, may authorize the City Treasurer to make payments for expenses related to contracts, claims and any other expenses provided that such expenses shall be limited by the amount of funds available within the duly approved annual City Budget in accordance with Sec. 2-307 and Sec. 2-308.

Sec. 2-310. COMPETITIVE SEALED BIDS.

This process is used for expenditures over \$2,500, when a complete specification for purchase description is available, two (2) or more responsible suppliers are willing to compete, and the procurement lends itself to a fixed price contract where award of the contract can be made principally on the basis of price.

Sec. 2-311. COMPETITIVE SEALED BIDS AND PURCHASING POLICY.

The City Council shall develop and maintain a Purchasing Policy to outline the competitive bid process. At a minimum, the following criteria shall apply:

- a) All bids shall be opened publicly at the time and place specified in the Bid Invitation.
- b) A firm, fixed price contract (lump sum or unit price) shall be awarded to a responsible bidder. In determining whether a bidder is responsible, the following shall be considered.

Ability to perform successfully under the terms and conditions of the proposed contract, contractor integrity, compliance with public policy, record of past performances, and financial and technical resources.
- c) If only one (1) bid is received, City Council approval is necessary before the award is made.
- d) Any or all bids may be rejected for any reason. Low bid does not always have to be taken.

CHARTER REFERENCE: All contracts shall be authorized, T. 3, Sec. 15, 1955 Charter.

Sec's. 2-312 to 2-399. Reserved.

Enacted July 22, 1970.

Amendment enacted December 16, 1992 [Sec's. 2-310 and 2-311 added]. Date of Publication: 1/14/93.

Effective Date: 1/20/93.

Enacted July 24, 2002 [Sec. 2-309, new section added]. Date of Publication: 8/8/02. Effective

Date: 8/14/02.