

CITY OF ESSEXVILLE
BID AND PURCHASING POLICY

Approved by the City Council on September 14, 1999.

ARTICLE I - APPLICABILITY

- I. The City Manager shall serve as Purchasing Agent for the City.¹
- II. Expenditures under \$5,000.00²: Any purchase of materials, supplies, equipment, or services less than \$5,000.00 is not subject to this policy. Such expenditures shall be the sole responsibility of the City Manager subject to the City Charter. The provision exempts purchases under \$5,000.00 from the formal bidding process only. Subject to general purchasing policy, purchases under \$5,000.00 may require solicitation of quotes prior to receiving authorization to purchase.
- III. Expenditures \$5,000.00³ and greater: Any purchase of materials, supplies, equipment, construction project or contract equal to or greater than \$5,000.00 shall be subject to this policy.
- IV. Exceptions:
 - A. This policy does not apply to the following situations:
 1. The Contract or Employment of Professional Services.
 2. Emergency purchases.⁴
 3. In any case where competitive bidding clearly is not practical or where no advantage would result to the City to require competitive bidding⁵, the City Council, upon the written recommendation of the City Manager, may authorize the execution of a contract without competitive bidding. Such contract must be approved by the City Council.

ARTICLE II - ADVERTISEMENT

- I. The City Manager shall solicit sealed bids from a reasonable number of qualified bidders, minimum of three. Sealed bids may be solicited by mailing or faxing a request for proposal to specific qualified vendors and/or through advertisement in the local newspaper.

¹ City Charter reference - Article IX, paragraph 12

² City Charter reference – Section 13.10.1

³ City Charter reference – Section 13.10.2

⁴ City Charter reference – Section 13.11

⁵ City Charter reference – Sections 13.4 and 13.10.2

- II. Such solicitation and/or advertisement shall include the following:
 - A. Description of the proposed purchase/contract order.
 - B. Time, date and place of acceptance of sealed bids.
 - C. Time and location where proposal requests can be picked up.
 - D. Amount of bid security required, if applicable.

ARTICLE III - SPECIFICATIONS

- I. Documents prepared through a separate Professional Services Agreement:
 - A. All terms and conditions of the bid/project specifications, as written by the professional consultant, shall be strictly adhered to, as approved by the City Council.
- II. Documents prepared by the City of Essexville:
 - A. Specifications prepared by a Department Head, Administrative Officer, and/or the Committee most closely concerned with the proposed purchase and shall include the following as a minimum:
 - 1. Detailed description of the proposed purchase/contract order.
 - 2. Proposal form.
 - 3. Performance bond amount, if applicable.
 - 4. Terms and conditions of the contract.
 - B. The City Manager shall approve the form of all such specifications and requests for proposals. Before seeking formal bids based on the specifications, the City Manager must receive approval from the City Council.

ARTICLE IV - BID SUBMITTAL AND REVIEW⁶

- I. All bids must be submitted on the forms provided by the City, and may only be amended by addendum issued by the City or its authorized agent.
- II. All bids must be submitted in a sealed opaque envelope with the Proposal Name, Date, Time, Place of Opening, and "Sealed Bid" clearly marked on the front.
- III. An appropriate person legally authorized to enter into a contract with the City must sign all bids and provide evidence of such authorization, which shall be included in the bid proposal.

⁶ City Charter reference – Section 13.4

- IV. Bids will be opened at the time, date and place specified in the advertisement. Any bid received after this time shall not be opened and will be returned to the bidder. Bids will be opened and publicly read aloud. The person or persons responsible for writing the specification, the City Manager and at least one member of the City Council will evaluate the bids.
- V. The City reserves the right to accept and/or reject any and/or all bids and waive any and all informalities.
- VI. All bids are to remain firm for a period of 60 days after the day of the bid opening.

ARTICLE V - ACCEPTANCE OF PROPOSAL/CONTRACT AWARD⁷

- I. The City Manager shall make his/her recommendation to the City Council at its next regular meeting regarding the bids received. Contracts or purchases shall be awarded or rejected by resolution of the City Council.
- II. All contracts shall be approved by the City Manager and the City Attorney as to substance and form respectively prior to signing by the authorized representative(s) of the City.

ARTICLE VI - CONDITIONS

- I. This policy is not intended to be an amendment or modification to the City Charter, and if in any case the two shall differ materially, the terms and conditions of the City Charter shall govern.

This Policy was adopted by the City Council of the City of Essexville at its regular meeting of September 14, 1999

Certified by:

Lois Englehardt, City Clerk

⁷ City Charter reference – Sections 13.4 and 13.7