

ORDINANCE NO. 2016-005

AN ORDINANCE TO ESTABLISH A PURCHASING POLICY FOR THE CITY OF EAGLEVILLE.

Whereas, the Eagleville City Council anticipates the approval by the Tennessee General Assembly of a revised City Charter;

Whereas, the adoption and enactment of this ordinance is contingent upon the approval by the Tennessee General Assembly in 2016 and a subsequent Resolution of confirmation by the Eagleville City Council;

Whereas, the Eagleville City Council wishes to establish a purchasing policy in accordance with the newly revised City Charter, Section 7-2(10), when fully enacted;

Whereas, the revised charter includes a full revision to sections relative to procurement and requiring a supplementary purchasing ordinance;

Whereas, this ordinance will replace prior action by the city council to establish such policies in conflict with the charter, namely those codified in Section 5, Chapter 4 of the Eagleville Municipal Code;

NOW THEREFORE, BE IT ORDAINED by the City of Eagleville Tennessee City Council that the following Purchasing Policy is hereby adopted:

PURCHASING POLICY

Except for those purchases specifically exempted from public advertising, bidding, or written quotes by the Municipal Purchasing Act of 1983 or other such legislation as may be enacted thereafter by the State of Tennessee, the City of Eagleville shall apply the following purchasing procedures:

- 1. Maximum Expenditures Without City Council Approval.** The city manager is hereby authorized to make a maximum expenditure at any one time without specific authorization of the city council for such purchases or other purposes of the city when sufficient funds to cover the expenditure have been duly appropriated and are on hand to cover the same when the amount is less than the threshold for public advertisement of bids, hereby set at \$25,000 (the public bidding threshold).
- 2. Purchases between 40% and 100% of the Public Bidding Threshold.** A minimum of three (3) written quotes shall be obtained, whenever possible, for the purchase of goods or services projected to exceed 40%, but be less than 100% of the public bidding threshold. Purchases within this range will be specifically acknowledged by the City Council.
- 3. Purchases Equal to or Greater than the Public Bidding Threshold.** Public advertisement and competitive bidding shall be required for the purchase of goods and services projected to equal or exceed the Public Bidding Threshold.
- 4. Advertisement for Bids.** Whenever an expenditure is proposed to be made at any one time in an amount which in the aggregate will exceed the public bidding threshold, the city manager shall advertise for and shall receive sealed bids for the purpose or purposes for which said expenditure is proposed to be made. A notice of the fact that bids will be received for such purposes shall be advertised in a newspaper of general circulation in the city at least one (1) time and said advertisement shall be made at least ten (10) days prior to the date when bids are received and

opened. The advertisement shall give notice to the public of the purpose or purposes for which bids will be received and shall state the time and place when sealed bids will be received and opened.

- a. The City Manager or the City Council may dispense with the requirements of this section in cases of emergency or other circumstances as may be provided for by state law, city ordinance or resolution, or city Charter, except that actions taken under any such procedure must be reported to the City Council and the public at the earliest opportunity.
- b. At the time and place specified in the advertisement, the city manager shall publicly open all bids and make the results known to the bidders. The city manager or the City Council are authorized to reject any and all bids.

5. **Bid award.** Any bid proposed by the city manager that exceeds the public bidding threshold shall be presented by the city manager to the city council for formal award to the lowest responsible bidder. The city reserves the right to reject any and all bids and to waive any irregularities.

BE IT ENACTED that this ordinance shall take effect 15-days from and after its final passage, the public welfare requiring it.

Approved:

Travis Brown, Mayor

ATTEST:

City Recorder, Kathey Burleson

Passed First Reading: March 24, 2016
Passed Second Reading: April 28, 2016
Passed Third Reading: May 26, 2016

APPROVED AS TO FORM:

City Attorney, Leon Sharber