

City of Sidney
Codified Ordinance Chapter 129

129.01 CITY MANAGER OR DESIGNEE.

The City Manager or his designated representative shall be in charge of all purchases of the City and contracts for the City. Purchases or contracts in this chapter must be so approved.

(Ord. A-2030. Passed 2-12-96.)

 **129.02 EXPENDITURES OF TWO HUNDRED FIFTY DOLLARS OR LESS.**

Purchases or contracts involving an expenditure of less than fifty dollars (\$50.00) may be made from imprest cash without the taking of quotations or bids. Purchases from fifty dollars (\$50.00) to two hundred fifty dollars (\$250.00) are paid upon submission of an approved invoice to the Purchasing Agent. Quotations or bids are encouraged, but not required, for these purchases.

(Ord. A-2030. Passed 2-12-96; Ord. A-2130. Passed 6-22-98; Ord. A-2239. Passed 1-22-01; Ord. A-2375. Passed 3-22-04; Ord. A-2482. Passed 5-8-06.)

 **129.03 EXPENDITURES EXCEEDING TWO HUNDRED FIFTY TO TWO THOUSAND FIVE HUNDRED DOLLARS.**

Purchases or contracts involving an expenditure exceeding two hundred fifty dollars (\$250.00) to two thousand five hundred dollars (\$2,500.00) shall only be made after obtaining informal quotations, and the purchase shall be made from the vendor submitting the lowest and best quotation from at least two qualified vendors.

(Ord. A-2030. Passed 2-12-96; Ord. A-2130. Passed 6-22-98; Ord. A-2159. Passed 2-22-99; Ord. A-2375. Passed 3-22-04; Ord. A-2482. Passed 5-8-06.)

 **129.04 EXPENDITURES EXCEEDING TWO THOUSAND FIVE HUNDRED TO FIFTY THOUSAND DOLLARS.**

Purchases or contracts involving an expenditure exceeding two thousand five hundred dollars (\$2,500.00) to fifty thousand dollars (\$50,000.00) shall be made only after obtaining formal written quotations from two or more qualified vendors. Such purchase shall be made from the vendor submitting the lowest and best quotation.

(Ord. A-1721. Passed 9-11-89; Ord. A-2239. Passed 1-22-01; Ord. A-2375. Passed 3-22-04; Ord. A-2482. Passed 5-8-06.)

 **129.05 EXPENDITURES EXCEEDING FIFTY THOUSAND DOLLARS.**

Purchases or contracts involving an expenditure exceeding fifty thousand dollars (\$50,000.00) shall be made only after advertisement and the receipt of sealed bids. The purchase shall be made only from the vendor submitting the lowest and best bid.

(Ord. A-1721. Passed 9-11-89; Ord. A-2239. Passed 1-22-01; Ord. A-2482. Passed 5-8-06.)

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 **129.06 "LOWEST AND BEST" DEFINED.**

For the purposes of this chapter, "lowest and best" shall be deemed to be that quotation or bid which gives the best combination of quality, service and price that assures the greatest economy to the City.
(Ord. A-1721. Passed 9-11-89.)

 **129.065 "QUALIFIED VENDOR" DEFINED.**

For the purposes of this chapter, "qualified vendor" means a person who has met the City's appropriately specified criteria required pursuant to the needs of a purchase or contract.

(Ord. A-1721. Passed 9-11-89.)

 **129.07 EMERGENCY PURCHASES.**

In cases of emergency, purchases of goods or contracted services may be made without obtaining quotations or bids as set forth in this chapter. However, if the amount of the emergency purchase or contracted service exceeds ten thousand dollars (\$10,000.00), the City Manager shall report the facts relating to that purchase to Council.

(Ord. A-1721. Passed 9-11-89; Ord. A-2239. Passed 1-22-01; Ord. A-2482. Passed 5-8-06.)

 **129.08 PURCHASING MANUAL.**

The Purchasing Agent shall prepare, adopt and maintain a purchasing manual or manual of purchasing guidelines setting forth the administrative procedures for the handling of purchases, which procedures shall not be in conflict with this chapter. Such manual shall have the same effect as ordinances of the City.

(Ord. A-2030. Passed 2-12-96.)

 **129.09 COST ESTIMATES NOT REQUIRED.**

(a) The City shall not be required to make their cost estimates for public improvement projects available for public inspection prior to bidding.

(b) If the contracted amount on any project exceeds the Engineering estimate by ten percent or more, approval of the City Manager is required.

(Ord. A-1721. Passed 9-11-89; Ord. A-2239. Passed 1-22-01.)

 **129.10 EXCEPTIONS TO COMPETITIVE BIDDING.**

(a) In any case where competitive bidding is not practical, or it is clearly to the City's advantage to contract without competitive bidding, Council, upon the recommendation of the City Manager, may authorize the execution of a purchase order without competitive bidding, by a majority vote.

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(b) Instances where competitive bidding is not practical include, but are not limited to, the following examples:

- (1) Contracts for professional services (except where Sections 153.65 through 153.71 of the Ohio Revised Code are applicable);
- (2) Hiring of consultants; or
- (3) Contracts for materials in unstable markets.

The City Law Director shall approve the contract as to form and content before it is submitted for the City Manager's approval with Council authorization.

(Ord. A-1721. Passed 9-11-89; Ord. A-2239. Passed 1-22-01; Ord. A-2375. Passed 3-22-04; Ord. A-2482. Passed 5-8-06.)

 **129.11 SALVAGE.**

(a) Personal property no longer needed for a Municipal purpose may be disposed of by the Purchasing Department in the following manner:

- (1) Transfer to another department (in need);
- (2) Trade-in on a new purchase of the same or similar items;
- (3) Sealed bid sale;
- (4) By public auction;
- (5) Conveyance to another governmental agency/authority;
- (6) Internet auction; or
- (7) Donation to a non-profit organization exempt from Federal income taxation; pursuant to prior approval of City Council.

(Ord. A-2030. Passed 2-12-96.)

(b) Items to be sold by sealed bid and valued at ten thousand dollars (\$10,000.00) or more shall be advertised once a week for two consecutive weeks. Items valued at less than ten thousand dollars (\$10,000.00) shall be advertised at the discretion of the Purchasing Agent.

(c) Competitive bidding shall not be required if conveyance, grant, or permit to use of City-owned property is to be made to the United States of America, State of Ohio, or any political subdivision, taxing district, department, commission, board, institution, authority, or other agency of either.

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(d) Once the item is considered unmarketable, through inspection, failure to auction, or re-appropriation the Purchasing Department, with the City Manger's approval, may permanently dispose of the item.

(Ord. A-1721. Passed 9-11-89; Ord. A-2482. Passed 5-8-06.)

 **129.12 SINGLE AGGREGATE BIDDING.**

The City Manager is hereby authorized in his or her discretion when deemed best for the City to advertise for and award single aggregate bid for public improvements without the necessity of seeking or obtaining alternative separate bids for each separate trade or kind of mechanical, labor, employment or business furnishing materials.

(Ord. A-2375. Passed 3-22-04.)