

CITY OF ARCADIA, MISSOURI

**ORDINANCE NO. 102: PROCEDURES FOR PURCHASING AND BIDDING
FOR THE CITY OF ARCADIA, MISSOURI**

WHEREAS, the statutes of this State do not prescribe procedures for purchasing and bidding in a Fourth Class Municipality, and

WHEREAS, the Board of Aldermen and Officials of the City of Arcadia want to foster transparency, and fairness as well as recognize the realities of purchasing and bidding for a rural Fourth Class Municipality.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF ARCADIA, MISSOURI, THAT :

Section One. Definitions: For purposes of this ordinance, the following terms have the following meanings:

Board means a quorum of the Board of Aldermen of the City of Arcadia, Missouri.

Clerk means the City Clerk of Arcadia, Missouri.

Equipment means tools, implements, machinery, or other objects used in the course of City operations that are not as frequently ordered as supplies.

Exigent Circumstances means circumstances in which there is the potential for danger to human life and/or damage to private or public property caused by natural and/or man-made emergencies or situations.

Expenditure means the purchasing, ordering or allocating of funds in exchange for goods including equipment and supplies as well, non-professional services.

Mayor means the Mayor of the City of Arcadia, Missouri or a Mayor pro tem acting in the capacity as Mayor.

Non-professional Services means services for the city or one or more of its departments or facilities not defined in Ordinance 39 as Professional Services, including, but not limited to, construction, repair, installation, utility installation and service, fixture installation, removal or maintenance services.

Supplies means office supplies and other items necessary for the operation of the City, and/or its departments or facilities that are used regularly and periodically and must be replaced on a regular basis.

Section Two. Expenditures of up to \$1,000.00 . Expenditures for equipment, supplies and non-professional services of up to \$1,000.00 may be made by the Mayor and/or the Clerk without Board approval. The Mayor and Clerk may rely upon advertised prices without submitting for bids.

Section Three. Expenditures of \$1,000.00 up to \$3,000.00. Expenditures for equipment, supplies and non-professional services of an estimated value of \$1,000.00 up to \$3,000.00 may be made by the Mayor and/or the Clerk with Board approval. The Mayor and Clerk will consult advertised prices in circulars, catalogs, and other advertisements, including online sources. The Mayor and Clerk may also solicit and obtain price quotes by phone or in person. The Mayor and Clerk shall retain copies of these advertised and/or quoted prices for the Board's review. The Board shall approve the lowest and best price.

Section Four. Expenditures of \$3,000.00 to \$5,000.00. Expenditures for equipment, supplies and non-professional services of an estimated value of \$3,000.00 up to \$5,000.00 may be made by the Board. The Mayor and the Clerk will contact suppliers and/or service providers to request the submission of sealed bids. The Mayor and the Clerk shall send the suppliers and/or service provider a letter indicating the date by which sealed bids must be submitted to the Board and state that bids must be submitted by 4:00 PM on the deadline. The sealed bids shall also include reference to any requirements imposed by Federal or State law or regulations such as the prevailing wage. The sealed bids shall be opened by the Board at a regularly scheduled or special meeting. The Board shall select the lowest and best bid. Should no bids be submitted to the Board, the Board shall direct the Mayor and/or the Clerk as to what procedure shall be followed to solicit bids. At that point, the Board may authorize the Mayor or the Clerk to contact suppliers and/or service providers directly to request the submission of bids, or the Board may direct the Mayor or Clerk to advertise for bids pursuant to the procedures of Section Five of this Ordinance Number 102.

Section Five. Expenditures of \$5,000.00 or more. Expenditures for equipment, supplies and non-professional services of an estimated value of \$5,000.00 or more may be made by the Board. The Mayor and the Clerk will advertise in a newspaper of general circulation in Iron and/or its surrounding counties for the submission of sealed bids. The advertisement must describe the equipment, supplies, and/or professional services needed; the date by which sealed bids must be submitted to the Board; a statement that bids must be submitted by 4:00 PM on the date of the deadline; a reference to any requirements imposed by Federal or State law or regulations such as the prevailing wage. The sealed bids shall be opened by the Board at a regularly scheduled or special meeting. The Board shall select the lowest and best bid. Should no bids be submitted to the Board, the Board shall direct the Mayor and/or the Clerk as to what procedure shall be followed

to solicit bids. At that point, the Board may authorize the Mayor or the Clerk to re-advertise for bids pursuant to this section; or the Board may authorize the Mayor or Clerk to follow the procedures of Section Four of this Ordinance 102; or the Board may authorize the Mayor or the Clerk to contact suppliers and/or service providers directly to request the submission of bids.

Section Six. Expenditures under Exigent Circumstances. Under Exigent Circumstances, the Mayor or Clerk may make expenditures of up to \$5,000.00 necessitated by the exigent circumstances. The Board shall review the expenditure at its next regularly scheduled meeting or a special meeting. While under exigent circumstances, if the Mayor or Clerk are faced with a situation in which an expenditure must be made of over \$5,000.00 due to the exigent circumstance, and said expenditure is necessary to prevent danger to human life or public health or to prevent serious damage to private and public property, the Mayor or Clerk shall determine the lowest and best cost of the expenditure and report to the members of the Board by telephone or other communication. The Board shall, as soon as practicable, meet in special or regular session to review the expenditure and the exigent circumstances under which the expenditure was made, and decide whether or not to ratify the expenditure.

Section Seven. State Bid. If an Expenditure is for equipment, supplies and/or other items covered by Sections Three, Four, Five and Six of this Ordinance 102 that are subject to the current State Bid as listed with the Missouri Office of Administration, the Mayor or Clerk or Board may inquire as to whether or not the vendor listed under the State Bid will extend the State Bid price to the City. If the State Bid Vendor will extend the State Bid price to the City, the Mayor or Clerk may submit the expenditure at the State Bid amount with the State Bid Vendor to the Board. If the Board approves, the Expenditure shall be made with the State Bid Vendor at the State Bid price.

Section Eight. Effective Date. This Ordinance 102 shall become effective upon its passage by the Board and approval by the Mayor.

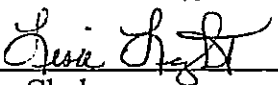
Date of First Reading: May 14, 2012

Date of Second Reading: May 14, 2012

Passed and Approved: THIS 14th DAY OF May 2012

Boyd Case
Mayor

Attest:



City Clerk

