


[Index](#)
[City of Middletown, CT](#)


[New Laws](#)
[Print](#)
[CHAPTER 74. PERSONNEL](#)
[Help](#)
[CHAPTER 85. SEAL](#)

This electronic version is provided for informational purposes only. For the official version please contact the municipality.

[Jump to Content](#)

[CHAPTER 78. PURCHASING](#)

- [§ 78-1. Definitions and rules of construction.](#)
- [§ 78-2. \(Reserved\)](#)
- [§ 78-3. Standardization and Specifications Committee.](#)
- [§ 78-4. Requisition and estimates.](#)
- [§ 78-5. Encumbrance of funds.](#)
- [§ 78-6. Prohibition of interest.](#)
- [§ 78-7. Competitive bidding required.](#)
- [§ 78-8. Formal contract procedure.](#)
- [§ 78-9. Open market procedure.](#)
- [§ 78-10. Contracts for professional services.](#)
- [§ 78-11. Petty Expenditures Revolving fund.](#)
- [§ 78-12. \(Reserved\)](#)
- [§ 78-13. Transfer or sale of supplies.](#)
- [§ 78-14. Emergency purchases.](#)
- [§ 78-15. Inspection and testing.](#)
- [§ 78-16. \(Reserved\)](#)
- [§ 78-17. Insurance and bonds.](#)
- [§ 78-18. Cooperative purchasing.](#)
- [§ 78-19. Audit.](#)
- [§ 78-20. Union label in uniforms.](#)
- [§ 78-21. Purchasing products containing recycled material.](#)
- [§ 78-22. Bidding calendar and purchase of capital nonrecurring items.](#)
- [§ 78-23. Violations of purchasing regulations.](#)

Chapter 78. PURCHASING

[HISTORY: Adopted by the Common Council of the City of Middletown 2-8-1978 as Ch. 8, Art. II of the 1978 Code; amended in its entirety 12-2-2002. Subsequent amendments noted where applicable.]

GENERAL REFERENCES

Contracts — See Ch. [26](#).

Financial procedures — See Ch. [44](#).

§ 78-1. Definitions and rules of construction.

- A. Definitions. The following words and phrases when used in §§ [78-1](#) to 78-23 inclusive, shall have the following meanings:

CITY

The City of Middletown.

CONTRACTUAL SERVICES

Includes all telephone, gas, water, electric light and power services; towel and cleaning service; leases for all grounds, buildings, office or other space required by the using agencies; and the rental,

repair or maintenance of equipment, machinery and other City-owned personal property. The term shall not include professional and other contractual services which are in their nature unique and not subject to competition.

COUNCIL

The Common Council of the City.

DIRECTOR

The Director of Finance of the City.

MAYOR

The Mayor of the City.

RECYCLED PAPER

Paper which meets or exceeds minimum recycled content as defined by the Northeast Recycling Council procurement guideline, as amended, or the EPA procurement guideline, as amended. The guideline which specifies the higher minimum postconsumer content shall control. If no minimum postconsumer standards have been established, the guideline with higher minimum percentage of recovered paper material shall control.

SUPERVISOR OF PURCHASES

The Supervisor of Purchasing for the City.

SUPPLIES

Includes all supplies, materials and equipment.

USING AGENCY

Any department, agency, commission, bureau or other unit of the City government using supplies or procuring contractual services as provided for in this chapter.

B. Rules of construction. The following apply to §§ [78-1](#) to 78-23, inclusive:

- (1) When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular number, and words in the singular number include the plural number.
- (2) The word "shall" is always mandatory and not merely directory.

§ 78-2. (Reserved)

Editor's Note: Former § 78-2, Powers and duties of Supervisor of Purchases, was repealed 10-1-2007 by Ord. No. 26-07.

§ 78-3. Standardization and Specifications Committee.

[Amended 10-1-2007 by Ord. No. 27-07]

- A.** Appointment. A committee of three individuals consisting of the Mayor, or his/her designee, as Chairperson; a director of a City department; and the Director of Finance, or his/her designee, to be known as the Standardization and Specifications Committee, shall be appointed by the Mayor and confirmed by the Common Council every two years. The director position on the Committee shall rotate among the various City departments at each reappointment of the Committee.
- B.** Duties.
 - (1) It shall be the duty of this Committee to review and approve, where appropriate, all requests for standardization of materials, supplies or equipment, sole source and proprietary items up to \$7,500. The Committee may take into account factors including, but not limited to, the following: fiscal analysis, governmental and operational efficiencies, adaptability, and standardization. The Committee shall keep minutes, which shall be publicly available.
 - (2) The Committee shall review all requests for bid waivers prior to submission to the Common Council and shall make a recommendation to the Council concerning said request(s).

§ 78-4. Requisition and estimates.

[Amended 9-4-2007 by Ord. No. 25-07]The Director of Finance or Supervisor of Purchasing when designated shall prescribe the time of making requisitions for such supplies, materials, and equipment and the future period which said requisitions are to cover. All using agencies, either by or with the authorization of the head of the department under which the using agency operates, shall file requisitions in such manner, at such times, and for such future periods as the Director of Finance or Supervisor of Purchasing when designated shall prescribe. No purchases may be made without an authorized requisition.

- A. Unforeseen requirements. A using agency shall not be prevented from filing, in the same manner, with the Director of Finance or Supervisor of Purchasing when designated at any time a requisition or estimate for supplies and contractual services, the need for which was not foreseen when the detailed estimates were filed.
- B. Revisory power. The Director of Finance or Supervisor of Purchasing when designated shall examine each requisition or estimate and shall have the authority to revise as to quantity, quality, or estimated cost, but revisions as to quality shall be in accordance with the standards and specifications established pursuant to this chapter. In case of a difference of opinion between the Director of Finance or Supervisor of Purchasing when designated and the using agency as to the revision, the Mayor shall resolve the difference.

§ 78-5. Encumbrance of funds.

Except in cases of emergency, the Supervisor of Purchases shall not issue any order for delivery on a contract or open market purchase until the Director of Finance, or other official designated by the Director of Finance, shall have certified, after preaudit, that there is to the credit of the using agencies concerned a sufficient unencumbered appropriation balance in excess of all unpaid obligations, to defray the amount of such order.

§ 78-6. Prohibition of interest.

Any purchase order or contract within the purview of this chapter in which the Supervisor of Purchases or any officer or employee of the City is financially interested, directly or indirectly, shall be void, except that this section, however, shall not apply to supplies and services furnished in the regular course of business at prevailing market prices or at competitive bid, and before the execution of a purchase order or contract the Council shall have the authority to waive compliance with this section when it finds such action to be in the best interest of the City.

- A. Noncollusive bid statement. All bidders shall be required to provide a signed noncollusive statement with all public bids as follows:
 - (1) The bid has been arrived at by the bidder independently and has been submitted without collusion with, and without any agreement, understanding, or planned common course of action with, any other vendor of materials, supplies, equipment, or services described in the invitation to bid, designed to limit independent bidding or competition; and
 - (2) The contents of the bid have not been communicated by the bidder or its employees or agents to any person not an employee or agent of the bidder or its surety on any bond furnished with the bid and will not be communicated to any such person prior to the official opening of the bid.
- B. Gifts and rebates. The Supervisor of Purchases and every officer and employee of the City are expressly prohibited from accepting, directly or indirectly, from any person, company, firm or corporation to which any purchase order or contract is or might be awarded, any rebate, gift, money, or anything of value whatsoever, except where given for the use and benefit of the City.

§ 78-7. Competitive bidding required.

- A. All purchases of, and contracts for, supplies and contractual services, except professional services, and all sales of personal property which has become obsolete and unusable shall, except as specifically provided herein, be based wherever possible on competitive bids.

- B. The provisions of this section shall not be applicable to any proprietary or one-source items, except that in the case of proprietary and one-source items, the Mayor shall countersign all purchase orders.
- C. The Director of Finance or Supervisor of Purchasing when designated shall have the discretionary authority, after consultation with the user agency, to utilize state, federal, and/or other governmental cooperative purchasing agreements in lieu of obtaining sealed competitive bids for commodities and/or equipment, if to do so is in the City's best interest. Local bidders meeting the requirements of § [78-8M](#) shall be given the opportunity to match the contract price whenever possible prior to any contract award.

[Amended 9-4-2007 by Ord. No. 19-07]

§ 78-8. Formal contract procedure.

[Amended 9-4-2007 by Ord. No. 20-07] Purchases shall be made in accordance with this Code of Ordinances, provided that if any purchase or contract for purchasing, including a continuing order or contract for the purchase of the same commodity or service over a period of four months, involves the expenditure of \$7,500 or more, the Director of Finance or Supervisor of Purchasing when designated, unless it shall be determined by the Council to be against the best interest of the City, or unless the item is a proprietary or one-source item or may be purchased cooperatively as described in § [78-7B](#) and [C](#), based on the considerations listed below, shall invite sealed bids or proposals, giving 10 days' notice thereof by publication at least once in a newspaper having a circulation in the City, and shall let the purchase or contract to the lowest responsible bidder thereon or may reject any or all such bids or proposals. All such sealed bids or proposals shall be opened publicly. The reason for rejection shall be placed on file with the bids.

- A. In reaching a determination if a waiver of the bidding procedure is in the best interest of the City, the Council shall consider factors such as the urgency of the sale, purchase or contract; the type of purchase, sale or contract; the amount of money involved; the necessity of the purchase, sale or contract; the lack of an appearance of favoritism or impropriety; and other factors which the Council deems to be applicable to the situation. Any Director seeking a waiver shall be responsible to supply to the Mayor's office, in a timely manner, prior to the Common Council meeting at which the bid waiver request is to be heard, complete documentation to support the request to waive the bidding procedures, addressing all considerations the Director feels relevant, including but not limited to the factors previously stated above. Said documentation shall be included in the Common Council notice and agenda served on Council members prior to their regularly scheduled meeting. At the Common Council meeting, the Director shall be expected to address all of the foregoing considerations and be ready to answer any and all other questions related to the bid waiver request.
- B. Scope of notice. The newspaper notice required herein shall include a general description of the supplies or contractual services required and shall state where bid blanks and specifications may be secured and the time and place for opening bids.
- C. Bidders list. The Director of Finance or Supervisor of Purchasing when designated shall also solicit sealed bids from responsible prospective suppliers selected from a bidders list, which the Director or Supervisor of Purchasing when designated shall maintain, by sending them a copy of such newspaper notice or such other notice as will acquaint them with the proposed purchase or sale. In any case, invitations sent to the vendors on the bidders list shall be limited to commodities that are similar in character and ordinarily handled by the trade group to which the invitations are sent.
- D. Bulletin board. The Director of Finance or Supervisor of Purchasing when designated shall also advertise all pending purchases or sales by a notice posted on the public bulletin board in the Municipal Building.
- E. Bid deposits. When deemed necessary by the Director of Finance or Supervisor of Purchasing when designated, bid deposits shall be prescribed in the public notices inviting bids. Bid deposits may be provided by a bid bond, certified check or legal tender, bid bonds or certified checks to be made payable to the Treasurer of the City. Unsuccessful bidders shall be entitled to return of surety where the Director or Supervisor of Purchasing when designated has required bid deposits. Such return shall be made within 48 hours after rejection. A successful bidder shall forfeit any surety required by the Director or Supervisor

of Purchasing when designated upon failure on his part to enter into a contract or submit a letter of intent within 10 days after the award.

F. Bid opening procedure.

- (1) Sealed. Bids shall be submitted sealed to the Director of Finance or Supervisor of Purchasing when designated and shall be identified as bids on the envelope.
- (2) Openings. Bids shall be opened in public at the time and place stated in the public notice.
- (3) Tabulation. A tabulation of all bids received shall be posted for public inspection.

G. Rejection of bids; bidders in default to City.

- (1) The Director of Finance or Supervisor of Purchasing when designated, with the approval of the Mayor, shall have the authority to reject all bids or parts of all bids for any one or more supplies or contractual services included in the proposed contract when the public interest will be served thereby.
- (2) Bidders in default to City. The Director of Finance or Supervisor of Purchasing when designated shall not accept the bid of a contractor who is in default on the payment of taxes, licenses or other monies to the City.

H. Award of contract.

- (1) Authority in Director. The Director of Finance or Supervisor of Purchasing when designated shall have the authority to award contracts within the purview of this chapter after approval of the form by the City Attorney.
- (2) Lowest responsible bidder. Contracts shall be awarded to the lowest responsible bidder. In determining "lowest responsible bidder," in addition to price, the Supervisor of Purchases shall consider:
 - (a) The ability, capacity and skill of the bidder to perform the contract or provide the services required in relation to the standards and specifications as required.
 - (b) Whether the bidder can perform the contract or provide the service promptly or within the time specified without delay or interference.
 - (c) The character, integrity, reputation, judgment, experience and efficiency of the bidder.
 - (d) The quality of performance of previous contracts or services.
 - (e) The previous and existing compliance by the bidder with laws and ordinances relating to the contract or services.
 - (f) The sufficiency of the financial resources and ability of the bidder to perform the contract or provide the service.
 - (g) The quality, availability and adaptability of the supplies or contractual services to the particular use required.
 - (h) The number and scope of conditions attached to the bid.

I. Award to other than low bidder. When the award is not given to the lowest bidder, a full and complete statement of the reason for placing the order elsewhere shall be prepared by the Director of Finance or Supervisor of Purchasing when designated and filed with the other papers to the transaction.

J. Tie bids.

- (1) Local vendors. If all bids received are for the same total amount or unit price, quality and service being equal, the contract shall be awarded to a local bidder.

- (2) Outside vendors. Where Subsection [J\(1\)](#) of this section is not in effect, the Director of Finance or Supervisor of Purchasing when designated shall award the contract to one of the tie bidders by drawing lots in public, after giving due notice by mail to the tied bidders.
- K.** Performance bonds. The Director of Finance or Supervisor of Purchasing when designated shall have the authority to require a performance bond, a payment bond, and liability insurance coverage before entering a contract, in such amount as he shall find reasonably necessary to protect the best interest of the City. Such bond and insurance coverage, if required, must be provided by the contractor, at his own expense, to the City of Middletown and written by a company authorized to write business in the State of Connecticut and subject to the approval of the Director of Finance, the Mayor and the City Attorney. A log shall be maintained by the Director of Finance or Supervisor of Purchasing when designated of the agents writing each bond.
- L.** Prohibition against subdivision of contracts. No contract or purchase shall be subdivided to avoid the requirements of this section.
- M.** Bid preference for local vendors.
- (1) Definitions. As used in this section, the following terms shall have the meanings indicated:

CITY-BASED BUSINESS

A business with a principal place of business located within the City of Middletown. A business shall not be considered a City-based business unless evidence satisfactory to the Director of Finance or Supervisor of Purchasing when designated has been submitted with each bid submitted by said business to establish that said business has a bona fide principal place of business in Middletown. Such evidence may include evidence of ownership of or a long-term lease of the real estate from which the principal place of business is operated or payment of property taxes on the personal property of the business to be used in performance of the bid.

PROJECT

All bids and all quotes solicited for purchases exempted from bidding pursuant to § [78-8](#), as amended, except requests for proposal and contracts for professional services pursuant to § [78-10](#), as amended.

- (2) On any project, the lowest responsible bidder shall be determined in the following order:
- (a) City-based bidders.
- [1] On projects the cost of which is \$1,000,000 total contract price or less, any City-based bidder which has submitted a bid not more than 10% higher than the low bid, provided such City-based bidder agrees to accept the award of the bid at the amount of the low bid. If more than one City-based bidder has submitted bids not more than 10% higher than the low bid and has agreed to accept the award of the bid at the amount of the low bid, the lowest responsible bidder shall be that one of such City-based bidders which submitted the lowest bid.
- [2] On projects the cost of which is over \$1,000,000 but less than \$5,000,000 total contract price, any City-based bidder which has submitted a bid not more than 5% higher than the low bid, provided such City-based bidder agrees to accept the award of the bid at the amount of the low bid. If more than one City-based bidder has submitted bids not more than 5% higher than the low bid and has agreed to accept the award of the bid at the amount of the low bid, the lowest responsible bidder shall be that one of such City-based bidders which submitted the lowest bid.
- [3] On projects the cost of which is over \$5,000,000 total contract price, any City-based bidder which has submitted a bid not more than 3% higher than the low bid, provided such City-based bidder agrees to accept the award of the bid at the amount of the low bid. If more than one City-based bidder has submitted bids not more than 3% higher than the low bid and has agreed to accept the award of the bid at the amount of the low bid, the lowest responsible bidder shall be that one of such City-based bidders which submitted the lowest bid.

(b) The low bidder.

§ 78-9. Open market procedure.

[Amended 10-1-2007 by Ord. No. 28-07] All purchases of supplies and contractual services, and all sales of personal property which have become obsolete and unusable, of less than the estimated value of \$7,500 shall be made in the open market, without newspaper advertisement and without observing the procedure prescribed by § [78-8](#) for the award of formal contracts.

- A. Purchases costing between \$1 and \$2,000. A City-issued purchasing card or a purchase order may be used to obtain these supplies or general services. Procedures adopted for the use of purchasing cards must be followed. Consideration should be given to vendors with existing contracts, state contracts, cooperative agreements and approved vendors when making such purchases. Capital nonrecurring (CNR) items may be obtained with a purchasing card only with the prior approval of the Director of Finance.
- B. Purchases costing between \$2,001 and \$7,499.
 - (1) Minimum number of price quotations. Purchases of these supplies or general services must be based on at least three price quotations, documented on a form approved by the Director of Finance or his/her designee, that includes the same information from all vendors and shall be awarded to the lowest responsible vendor in accordance with the standards set forth in § [78-8H\(2\)](#).
 - (2) Price quotations. The using department, under the direction of the Director of Finance or his/her designee, shall solicit price quotations by direct mail request to prospective vendors, by telephone or by public notice posted on the bulletin board of the Municipal Building.
 - (3) Award. The three price quotations shall be forwarded to the Director of Finance or his/her designee with the requisition for the supplies. After review, the Director of Finance or his/her designee shall approve the purchase order if appropriate to do so. If three quotation forms are not attached to the requisition, the Director of Finance or his/her designee may recommend additional vendors from which to solicit quotes.
- C. Like and unlike items. A purchase of supplies or general services shall be counted as one purchase for like items. Unlike items, grouped together on one purchase requisition, shall require price quotations only for those items on the requisition that cost in excess of the threshold set out in the preceding subsection. The determination of like and unlike items shall be based on commodity codes assigned such items by the National Institute of Governmental Purchasing (NIGP).
- D. Record of orders and quotations. The Department Director shall file with the Director of Finance or his/her designee a record of all open market orders and the quotations submitted in competition thereon, and such records shall also be open to public inspection.

§ 78-10. Contracts for professional services.

[Amended 7-5-2011 by Ord. No. 11-11]

- A. All contracts for professional services shall be on a negotiated basis, with the Director of Finance, the Director of the department requesting professional services and the Mayor being the parties representing the City, hereinafter referred to as the "Professional Services Committee." The Council may authorize an exception to these requirements.
- B. Contracts for professional services in an amount of less than \$2,000 are exempt from the requirement of Professional Services Committee approval.

§ 78-11. Petty Expenditures Revolving fund.

- A. There shall be a fund known as the "Petty Expenditures Revolving Fund." From this fund shall be paid purchases not in excess of \$30 each made by the heads of using agencies for incidentals, with the approval of the supervisor.

B. At the end of each month, the Supervisor shall render to the Director of Finance a statement showing the actual expenditures for each using agency made out of such Petty Expenditures Revolving Fund, and the Director of Finance shall reimburse such revolving fund for such expenditures in the same manner as other expenditures of such using agencies are paid.

C. The supervisor shall promulgate rules and regulations for use of the Petty Expenditures Revolving Fund.

§ 78-12. (Reserved)

Editor's Note: Former § 78-12, Central storerooms, was repealed 9-4-2007 by Ord. No. 21-07.

§ 78-13. Transfer or sale of supplies.

The Supervisor of Purchases, with the approval of the Mayor, shall transfer, to or between departments, offices and agencies, or sell supplies, materials, and equipment, determined after consultation with the head of the Department, office or agency concerned, to be surplus, obsolete or unused.

- A.** Reporting. All using agencies shall submit to the Supervisor, at such times and in such form as he shall prescribe, reports showing stocks of all supplies and equipment which are no longer used or which have become obsolete, worn out or scrapped.
- B.** Transfer. The Supervisor shall have the authority, with the approval of the Director of Finance or the Mayor, to transfer surplus stock to other using agencies.
- C.** Sales. The Supervisor shall have the authority, with the approval of the Director of Finance or the Mayor, to sell all supplies which have become unsuitable for public use or to exchange the same for, or trade in the same on, new supplies.
- D.** Accounting procedures. Supplies, materials and equipment transferred between departments or offered for sale, exchange or trade shall be credited by the Supervisor to the storeroom inventory and, if transferred, by a charge against the appropriation of the using agency.
- E.** Competitive bidding. Sales under this section shall be made to the highest responsible bidder, and in conformance with § [78-8](#).

§ 78-14. Emergency purchases.

A. By Supervisor.

- (1)** In case of an apparent emergency which requires immediate purchase of supplies or contractual services, the Director of Finance or Mayor shall be empowered to authorize the Supervisor of Purchases to secure, by open-market procedure as herein set forth, at the lowest obtainable price, any supplies or contractual services regardless of the amount of the expenditure.
- (2)** Recorded explanation. A full report of the circumstances of an emergency purchase shall be filed by the Supervisor of Purchases with the Director of Finance and Mayor for forwarding to the Council to be entered in the Council minutes and shall be open to public inspection.

B. By head of Department.

- (1)** In case of actual emergency, the head of any using agency may purchase directly any supplies or contractual services whose immediate procurement is essential to prevent delays in the work of the using agency which may vitally affect the life, health or convenience of citizens.
- (2)** Recorded explanation. The head of such using agency shall send to the Supervisor of Purchases a requisition and a copy of the delivery record, together with a full written report of the circumstances of the emergency. The report shall be filed with the Director of Finance, Mayor and Council as provided in Subsection [A\(2\)](#) above.

- C. Emergency procedure. The Supervisor of Purchases shall prescribe by rules and regulations the procedure under which emergency purchases by heads of using agencies may be made.

§ 78-15. Inspection and testing.

The Supervisor of Purchases shall inspect all deliveries of such supplies, materials and equipment and cause tests to be made when necessary in order to determine their quality, quantity and conformance with specifications.

- A. Inspection by using agency. The Supervisor of Purchases shall have the authority to authorize using agencies having the staff and facilities for adequate inspection to inspect all deliveries made to such using agencies under rules and regulations which the Supervisor shall prescribe.
- B. Tests. The Supervisor of Purchases shall have the authority to require chemical and physical tests of samples submitted with bids and samples of deliveries which are necessary to determine their quality and conformance with the specifications. In the performance of such tests, the Supervisor of Purchases shall have the authority to request use of laboratory facilities of any agency of the City government or of any outside laboratory.

§ 78-16. (Reserved)

Editor's Note: Former § 78-16, Inventory of equipment, was repealed 9-4-2007 by Ord. No. 22-07.

§ 78-17. Insurance and bonds.

The Supervisor of Purchases shall purchase, at the expense of the City, surety bonds for all officers and employees of the City required by law or by ordinance to furnish bonds to the City, and insurance of such types against liability, loss or damage on the part of the City or its property as the Council may authorize, and shall be responsible for the collection of insurance benefits and other matters relating to the administration of the City's insurance.

§ 78-18. Cooperative purchasing.

- A. The Supervisor of Purchases, after consultation with the Director of Finance, shall have the authority, in accordance with the procedure outlined herein, to join with other units of government in cooperative purchasing plans and participation with other utilities on an equitable basis in large bulk purchasing, when the best interests of the City would be served thereby.

[Amended 10-1-2007 by Ord. No. 29-07]

- B. The City, as a matter of policy, makes purchases cooperatively with other governmental agencies whenever it is to the mutual benefit of both cooperating agencies.
- C. Whenever the City participates in a cooperative bid, the record shall include the following elements of a conventional bid:
- (1) A registered certified vendor.
 - (2) A City file number and file.
 - (3) A copy of the specification, bid document, and contract award.
- D. The City shall issue a notice of award, which is similar in content to that sent to a vendor on a conventional advertised bid, stating the City's desire to enter into an agreement at contract-awarded prices. The vendor must acknowledge its acceptance in writing prior to the City issuing a purchase order.
- E. A purchase order signed by the Supervisor of Purchases must be encumbered prior to any purchase and must include both the state and City's contract number.
- F. Restrictions in the use of these cooperative bids shall be as follows:

- (1) There must be agreement by both parties to the same terms.
- (2) The prices, terms and conditions must be the same as actually bid. The City shall not participate in any cooperative purchasing contract where separate pricing and/or terms are quoted for municipalities until it has been determined that the municipal prices offered are, in fact, the lowest responsible bid.

G. Exception. The Purchasing Supervisor shall grant an exception to the restrictions set out in Subsection **F** in the following situation only: whenever a City department desires to make a purchase utilizing a cooperative purchasing contract and desires to add options or accessories to the base bid, so long as the bid threshold of \$7,500 is not exceeded. This exception is intended for features that are offered as additional equipment options such as seats, lights, liners, etc., that can be purchased “after market” and that do not materially affect the overall size, performance or specification of the unit currently under the cooperative purchasing contract. For purposes of determining compliance with the bid threshold limit, the amount will be the value of the additional equipment itself and not the value of the original item being purchased plus the additional equipment.

[Added 10-1-2007 by Ord. No. 29-07]

§ 78-19. Audit.

A periodic audit shall be made to verify that authorized procedures have been followed, using generally accepted accounting principles and procedures based upon recommendations of the Council as provided by Chapter VI, Section 10, of the Charter.

§ 78-20. Union label in uniforms.

All uniforms purchased by the City for the use of employees of the City shall contain thereon a union label signifying that the uniforms were made under proper working conditions. This section shall not apply if no uniforms are available with a union label that meet the required specifications of the purchaser.

§ 78-21. Purchasing products containing recycled material.

- A.** The requesting department is encouraged to include specifications or alternate specifications for recycled content in all bids and quotes.
- B.** All bids and quotes for the procurement of paper products and printing or copying services shall include specifications or alternate specifications for recycled content. The contract language in the bid documents shall clearly specify the manner in which the contract shall be awarded, with reference to price preferences for recycled paper, if any. However, where a price preference is not specified in the bid documents, if all bids received are for the same total amount or unit price, quality, service and performance being equal, the contract shall be awarded to the bidder of recycled paper. All direct department purchases of paper products and printing or copying services shall include requests for recycled paper. Paper products shall include but not be limited to photocopy paper, computer paper, letterhead, memo paper, lined paper, business cards, and envelopes. Paper products shall also include all tissue products such as paper towels, toilet tissue, and napkins. Outside contractors bidding on provision of paper products shall document recycled fiber content on a form to be provided by the Supervisor of Purchases.
- C.** When recycled paper is used by City departments, reasonable efforts shall be undertaken to label the products to indicate that they contain recycled materials.
- D.** When requesting bids or quotes for the procurement of new copy machines, the Supervisor of Purchases shall explore the purchase of machines which are capable of utilizing recycled paper and which are capable of easily producing two-sided copies.

§ 78-22. Bidding calendar and purchase of capital nonrecurring items.

[Added 10-1-2007 by Ord. No. 30-07] In April of each year, or in a timely fashion coinciding with the City's budget adoption, the directors of the various City departments shall meet with the Supervisor of Purchases to

discuss the next fiscal year's capital nonrecurring budget for authorized major equipment purchases and to establish a bidding calendar for those purchases. The purpose of the meeting(s) is to identify similar equipment that can be purchased as soon as possible after the beginning of the fiscal year and to combine requests to achieve economies of scale and to reduce duplication of efforts. Any disputes shall be reviewed and resolved by the Standardization and Specifications Committee.

§ 78-23. Violations of purchasing regulations.

[Added 10-1-2007 by Ord. No. 31-07]In any instance where purchases are made in violation of the requirements of this chapter or the Purchasing Manual adopted in accordance therewith, the director of the City department in violation shall provide a written explanation of the occurrence to the Mayor and the Director of Finance. The explanation shall include the date on which the purchase was made, the vendor from whom the purchase was made, the total cost of the purchase, and the reason why a purchase order was not obtained prior to the purchase being made.

[Prev](#)
[Change Views](#)
[Privacy Policy](#)

[Top](#)
[Contents](#)
[Help](#)

[Next](#)
[Terms of Service](#)