

ORDINANCE 777

**AN ORDINANCE OF THE CITY OF MEXICO BEACH, FLORIDA,
AMENDING THE CITY'S PURCHASING PROCEDURES,
INCREASING THE THRESHOLD FOR FORMAL BIDDING,
CLARIFYING AND INCREASING THE CITY
ADMINISTRATOR'S SPENDING AUTHORITY, PROVIDING FOR
SEVERABILITY, PROVIDING AN EFFECTIVE DATE.**

WHEREAS, Section 30.01-30.04 of the City Code provides Purchasing Procedures for the City of Mexico Beach; and

WHEREAS, Section 30.01 provides that expenditures of an amount exceeding \$8,000 shall be by competitive bids; and

WHEREAS, this amount is low compared to nearby cities and often it is burdensome to conduct formal competitive bidding for relatively small purchases, both in terms of staff time and advertising costs and private parties are less likely to respond to competitive bidding involving relatively small contracts; and

WHEREAS, the Purchasing Procedures are unclear about the purchasing authority of the City Administrator, but the City has been using \$3,000 as the amount of the City Administrator's purchasing authority; and

WHEREAS, this ordinance provides clear purchasing authority for the City Administrator for \$10,000 or less when consistent with the City's approved budget and requires that purchases above that threshold must be approved by the City Council; and

WHEREAS, various public procurement requirements exist by statute in the State of Florida and the revisions provided by this ordinance do not violate those statutory public procurement requirements; and

WHEREAS, the City Council hereby finds that this ordinance is in the best interest of the public health, safety, and welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MEXICO BEACH, FLORIDA:

SECTION 1. FINDINGS OF FACT. The foregoing recitals are hereby ratified and confirmed as being true and correct and are hereby made a part of this ordinance.

SECTION 2. PURCHASING PROCEDURES AMENDMENTS. From and after the effective date of this ordinance, the Mexico Beach City Code relating to competitive bidding is amended to read as follows (new text **bold and underlined**, deleted text ~~struckthrough~~):

§ 30.01 EXPENDITURE OF CITY FUNDS BY COMPETITIVE BIDS.

Expenditures of ~~an amount exceeding \$8,000~~ **\$15,000.00 or more** shall be by competitive bids, **request for proposals, or request for qualifications (collectively “competitive bids”)**. Competitive bids will be solicited by advertisement in a local or area newspaper of general circulation. This procedure may be supplemented by direct mailings, posted notices and/or other advertising means when practical. The best and lowest bid normally will be selected; however, the Council may reject any or all bids or select other than the low bid where there is full justification. An exception from competitive bids may be approved by Council majority vote for goods and/or services needed to address an emergency; from single source outlets, ~~federal and state agencies~~ **another unit of government**, or one time auctions; **all supplies, materials, equipment, or services purchased at a price established in a State contract of the State of Florida Department of General Services Division of Purchasing**; when piggybacking a public contract procured under Florida law within the past 365 days; or where the best interest of the citizens of the city require it after unsuccessfully attempting competitive bidding.

§ 30.02 PURCHASING.

The City Administrator has authority to make purchases in the amount of \$10,000 or less, so long as they are consistent with the City’s approved annual budget. Purchases above this threshold must be taken to the City Council for approval.

§ 30.04 QUOTES REQUIRED.

Expenditures which are more than \$3,000 but less than \$8,000 shall only be made after the receipt of three verbal quotes by the purchaser. **Expenditures which are more than \$8,000 but less than \$15,000.00 shall only be made after the receipt of three written quotes by the purchaser.**

SECTION 3. SEVERABILITY. If any provision of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or

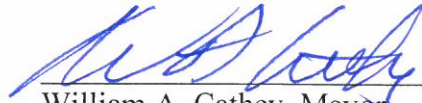
applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable.

SECTION 4. SCRIVENER'S ERROR. The city attorney may correct scrivener's errors found in this ordinance by filing a corrected copy of this ordinance with the city clerk.

SECTION 5. EFFECTIVE DATE. This ordinance takes effect immediately upon adoption.

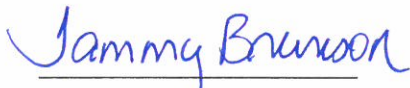
PASSED, APPROVED AND ADOPTED at the special meeting of the City Council of the City of Mexico Beach, Florida, this 14 day of December, 2021.

CITY OF MEXICO BEACH



William A. Cathey, Mayor

ATTEST:



Tammy Brunson, City Clerk