

ORDINANCE 2016-14

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REPEALING AND RECREATING CHAPTER 3.08 (CITY PURCHASES) OF THE MUNICIPAL CODE OF THE CITY OF PRAIRIE DU CHIEN, CRAWFORD COUNTY, WISCONSIN

Purpose: The purpose of this Ordinance is to modify the current City purchasing procedures and bring in more into compliance and agreement with State Statutes.

The Common Council of the City of Prairie du Chien, Crawford County, Wisconsin, does ordain as follows:

Section 1: That Chapter 3.08 (City Purchases) of the Municipal Code of the City of Prairie du Chien, Wisconsin be repealed and re-created to read as follows:

3.08 (CITY PURCHASES)

(1) PURCHASING AGENT. The City Administrator shall be the official Purchasing Agent for the City of Prairie du Chien.

(2) COUNCIL AUTHORIZATION. This ordinance authorizes the City Administrator and Mayor, jointly, to enter into contracts on behalf of the City of Prairie du Chien if the contracts meet the criteria of this ordinance. Contracts that do not meet the criteria set forth in this ordinance, and are not otherwise authorized by law, rule, or regulation, shall be authorized separately by the Common Council, by resolution or otherwise. Contracts that require a competitive selection process (such as request for bids and request for proposals) per state statute, this ordinance, or a requirement of a grant shall be authorized separately by the Common Council, by resolution or otherwise including public works contracts required to be bid pursuant to Wisconsin Statutes § 62.15 and § 66.0901. The form of all contracts shall be approved by the City Attorney prior to the City executing the contracts.

(3) PUBLICATION. Unless additional public notification is required per state statute or a requirement of a grant, requests for bids and requests for proposals issued by the City shall require a Class 1 notice in the City's newspaper of record and posting at City Hall.

(4) GOODS AND SUPPLIES. The City may purchase supplies, equipment, goods, and materials ("goods") when the costs of the same have been included in the approved City budget.

(a) For purchases of less than \$10,000, the department head must obtain approval of the Mayor and City Administrator.

(b) For purchases between \$10,000 and \$25,000, the department head must obtain three (3) written price quotes for said goods and approval of the Mayor and City Administrator.

(c) For purchases of \$25,000 or greater, the contract shall be submitted to sealed public bidding and approved by the Common Council. The public bidding process may be waived by a $\frac{3}{4}$ vote of the Common Council upon the affirmative finding and documentation by the Common Council that such waiver is in the public interest. City purchases made through an existing state contract will not require public bidding if approved by the Mayor and City Administrator.

(d) Contracts through a sealed bid process shall be awarded to the lowest priced responsive and responsible bidder.

(5) SERVICES. The City may contract for the purchase of services when the costs of the

same have been included in the approved City budget.

(a) For purchases of less than \$10,000, the department head must obtain approval of the Mayor and City Administrator.

(b) For purchases between \$10,000 and \$25,000, the department head must obtain three (3) written proposals and price quotes for said services and approval of the Mayor and City Administrator.

(c) For purchases of \$25,000 or greater or for service contracts lasting more than one year, the contract shall be submitted via a request for proposals process and approved by the Common Council. The request for proposals process may be waived by a $\frac{3}{4}$ vote of the Common Council upon the affirmative finding and documentation by the Common Council that such waiver is in the public interest. City purchases made through an existing state contract will not require a request for proposals process if approved by the Mayor and City Administrator.

(d) Contracts through a request for proposals process shall be awarded to the best overall value proposal with price not being the sole determining factor.

(6) PUBLIC WORKS. Pursuant to Wisconsin Statutes § 62.15, public construction projects with an estimated cost exceeding \$25,000 shall be publicly bid. If the estimated cost exceeds \$5,000 but is not greater than \$25,000, the City shall give a class I notice, under Wisconsin Statutes Chapter 985, of the proposed construction before the contract is executed.

(7) EMERGENCY. In the event of an emergency, with approval of the City Administrator, Mayor, and City Attorney, purchases may be made without a competitive selection process and without Council approval. However, the City Administrator shall promptly report any such purchases to the City Council.

(8) CONFLICT OF INTEREST. No person shall be involved in drafting of requests for bids or requests for proposals, in the review and recommendation of bids or proposals, in the selection of contractors, or in the approval of contracts if said person has any real or apparent conflict of interest. Potential conflicts of interests shall immediately be made known to the City Attorney who shall make a determination if the conflict disqualifies the individual from participating in the purchasing process in question.

Section 2: Any Ordinance or parts thereof, inconsistent herewith are hereby repealed.

Section 3: This Ordinance shall be published as required by law after passage by the Common Council.

Passed and approved this 3rd day of May, 2016.

David Hemmer, Mayor

ATTEST:

Aaron Kramer, City Administrator

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Certification

I, Barbara Elvert, am the duly qualified and acting City Clerk of the City of Prairie du Chien, Crawford County, Wisconsin. I hereby certify that the aforementioned is a true and exact reproduction of the original ordinance or resolution adopted by the Common Council.

IN WITNESS WHEREOF, I have executed this Certificate in my official capacity on the 4th of May 2016.

(SEAL)

Barbara Elvert
City Clerk