

## **CHAPTER 210**

### **Purchasing and Contracts**

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- 210.01 Manager to be Purchasing Agent.
- 210.02 Purchases or contracts under one thousand dollars (\$1,000).
- 210.03 Purchases or contracts between one thousand dollars (\$1,000) and five thousand dollars (\$5,000) of routine or operational supplies, materials or equipment.
- 210.04 Purchases or contracts over one thousand dollars (\$1,000).

#### ***CROSS REFERENCES***

Finance generally - see Mich. Const. Art. 9, Secs. 1 et seq.; CHTR. Ch. 7

Franchises - see CHTR. Ch. XIV

Contracts generally - see CHTR. Ch. XV

Deposit of public funds - see M.C.L.A. Secs. 129.11 et seq.

Public money - see M.C.L.A. Secs. 750.489 et seq.

Planning Commission contracts - see P. & Z. 1220.06

#### **210.01 MANAGER TO BE PURCHASING AGENT.**

The City Manager shall act as Purchasing Agent of the City.

(Ord. 155. Passed 10-23-84; Ord. Unno. Passed 12-9-03.)

#### **210.02 PURCHASES OR CONTRACTS UNDER ONE THOUSAND DOLLARS (\$1,000).**

Purchases of supplies, materials or equipment, the cost of which is less than one thousand dollars (\$1,000), may be made in the open market.

(Ord. 155. Passed 10-23-84; Ord. Unno. Passed 12-9-03.)

#### **210.03 PURCHASES OR CONTRACTS BETWEEN ONE THOUSAND DOLLARS (\$1,000) AND FIVE THOUSAND DOLLARS (\$5,000 ) OF ROUTINE OR OPERATIONAL SUPPLIES, MATERIALS OR EQUIPMENT.**

Purchases of routine or operational supplies, materials or equipment, the cost of which is more than one thousand dollars (\$1,000) and less than five thousand dollars (\$5,000), may be awarded

at the sole discretion of the City Manager after competitive prices have been received.

(Ord. 155. Passed 10-23-84; Ord. Unno. Passed 12-9-03.)

#### **210.04 PURCHASES OR CONTRACTS OVER ONE THOUSAND DOLLARS (\$1,000).**

Any expenditure for non-routine or non-operational supplies, materials, equipment, construction projects or contracts obligating the City, where the amount of the City's obligation is one thousand dollars (\$1,000) or more, and any expenditure of routine or operational supplies, materials or equipment where the amount of the City's obligation is over five thousand dollars (\$5,000) shall be approved by the City Council and shall be governed by the provisions of this section and Section 15.2 of the City Charter.

(a) The City Manager shall solicit bids from at least two of such qualified prospective bidders as are known to him or her by sending each a copy of the notice requesting bids and notice thereof shall be posted in the City Hall. Bids shall be solicited by newspaper advertisement when directed by the City Council.

(b) Unless prescribed by the Council, the City Manager shall determine the amount to be deposited with any bid, which deposit shall be in the form of cash, certified or cashier's check or bond written by a surety company authorized to do business in the State of Michigan. The amount of such deposit shall be expressed in terms of percentage of the bid submitted. Unless fixed by the Council, the Manager shall fix the amount of the performance bond and in the case of construction contracts, the amount of the labor and materials bond to be required of the successful bidders.

(c) Bids shall be opened in public, at the time and place designated in the notice requesting bids, in the presence of the City Manager and at least one other City official, preferably the head of the department most closely concerned with the subject of the contract. The bids shall thereupon be carefully examined and tabulated and reported to the Council, with the recommendation of the City Manager, at the next Council meeting. After tabulation, all bids may be inspected by the competing bidders. In lieu of the procedure for opening bids herein specified, the Council may direct that bids be opened at a Council meeting.

(d) When such bids are submitted to the Council, if the Council shall find any of the bids to be satisfactory, it shall award the contract to the lowest competent bidder meeting specifications, unless the Council shall determine that the public interest will be better served by accepting a higher bid. Such award may be by resolution. The Council shall have the right to reject any or all bids and to waive irregularities in bidding and to accept bids which do not conform in every respect to the bidding requirements.

(e) All bids and deposits of certified or cashier's checks may be retained until the contract is awarded and signed. If any successful bidder fails or refuses to enter into the contract awarded to him or her within five days after the same has been awarded, or file any bond required within the same time, the deposit accompanying his or her bid shall be forfeited to the City, and the Council may, in its discretion, award the contract to the next lower competent bidder meeting specifications, or to another competent bidder meeting specifications if the Council shall determine that the public interest will be better served by accepting such other bid, or said contract may be re-advertised.

(Ord. Unno. Passed 12-9-03.)