

Finance & Audit Committee
Substitute
November 10, 1997

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

AN ORDINANCE repealing sections 1040. and 1050., Jackson County Code, 1984, relating to purchasing, and enacting, in lieu thereof, two new sections relating to the same subject.

ORDINANCE #2743, October 13, 1997

INTRODUCED BY Victor E. Callahan, County Legislator

BE IT ORDAINED by the County Legislature of Jackson County, Missouri as follows:

Section A. Enacting Clause. Sections 1040. and 1050., Jackson County Code, 1984, are hereby repealed and two new sections enacted in lieu thereof, to be known as sections 1040. and 1050., to read as follows:

1040. Competitive Bids not Required.

Notwithstanding any other provision to the contrary, competitive bidding shall not be required in the following instances:

1040.1 Sole Source.

Competitive bidding shall not be required when the items to be purchased, can be obtained from only one source. This subsection shall not apply to contracts for experts, consultants, or other professional services.

1040.2 Acquisition From Other Government.

Competitive bidding shall not be required when the items to be purchased can be obtained from another government, at a price below that quoted by a private vendor.

1040.3 Emergency Purchases.

Competitive bidding shall not be required when the County Executive has declared, in writing, the purchase to be an emergency.

1040.4 Fixed Price Contractual Documents.

Competitive bidding shall not be required when the items purchased are the subject of existing and current federal, state or local government fixed price contractual documents, if the prices quoted in those documents are more advantageous to the county than local market prices for like items.

1040.5 Purchases Under \$1,000.

It is not necessary to obtain bids on any purchase in the amount of one thousand dollars (\$1,000) or less made from any one person, firm or corporation during any period of ninety days.

1040.6 Purchase of Proprietary Articles.

Competitive bidding shall not be required when the items to be purchased are

proprietary articles not available in a competitive market, which are to be purchased for resale in the golf pro shop at the Longview Lake Golf Course, at the Longview Lake Marina, at the Lake Jacomo Marina and at all Jackson County museum gift shops (Fort Osage, Missouri Town 1855, Lone Jack Civil war Museum and Truman Courtroom), and which are certified as such on a list prepared by the Director of Purchasing and filed with the Clerk of the Legislature. Proprietary articles are defined as goods manufactured under an exclusive individual right to make and sell them.

1040.7 Purchase of Voting Machines.

Competitive bidding shall not be required when the Jackson County Election Board needs to purchase C.E.S. Model 3A Votomatic voting machines. The Jackson county Election Board shall conduct all negotiations etc. concerning the purchases of these machines. Upon recommendation of the Jackson County Election Board, final payment and approval of the contract for the voting machines shall be ratified by the Legislature through resolution.

1040.8 Tax Exempt Organizations and Agencies.

Competitive bidding shall not be required when funds are appropriated and a contract for services is or will be awarded by resolution or ordinance to an organization or agency which is exempt from federal income taxation.

1040.9 Architects, Engineers & Land Surveyors.

Competitive bidding shall not be required for the services of architects, engineers and land surveyors awarded pursuant to Executive Order 94-24, subject to the approval by the legislature by way of resolution or ordinance. This limited class of professional service contracts are exempt from the competitive bidding requirements of section 1050. Any proposed procurement of architectural, engineering, or land surveyor services selected pursuant to executive order, however, must be submitted to the legislature for approval by way of ordinance or resolution prior to the awarding of such contract.

1040.10 Construction Managers and Construction Management Contracts.

Prior to starting the selection process for construction managers the county executive, department official or any county officer who desires to employ the services of a construction manager shall first notify the county legislature on the nature and scope of the proposed work and obtain legislative approval, by way of resolution, for such a project. If the proposed construction management project is approved then the county executive, department official or county officer who has obtained this approval shall negotiate a contract for the construction management services by following the same procedures established for the award of contracts to architects, engineers and land surveyors. The final proposed procurement of construction management services, however, must be submitted to the legislature for approval by way of ordinance or resolution prior to the awarding of such contract.

1050. Formal Bidding. Applicable Purchases.

Except as provided in section 1040., any purchase or lease of supplies, materials, equipment, services, or contracts for experts, consultants or other professional services, when the estimated cost exceeds five thousand dollars (\$5,000.00), shall be purchased under formal written contract from the lowest and best bidder in the open market observing the following formal procedures.

Effective Date: This ordinance shall be effective immediately upon its signature by the County Executive.

APPROVED AS TO FORM:

*Disapproved: See attached
legal memorandum SLS*

County Counselor

I hereby certify that the attached Ordinance, Ordinance #2743 introduced on October 13, 1997 was duly passed on November 10, 1997 by the Jackson County Legislature. The votes thereon were as follows:

Yeas 7

Nays 2

Abstaining 0

Absent 0

This Ordinance is hereby transmitted to the County Executive for her signature.

11.10.97
Date

Mary Jo Brogato
Mary Jo Brogato, Clerk of Legislature

I hereby approve the attached Ordinance #2743.

Date

Katheryn J. Shields, County Executive

~~Veto overridden November 24, 1997.~~