



Jackson County Missouri

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Legislation Text

File #: 3607, Version: 0

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

AN ORDINANCE repealing sections 1030., 1040., 1050., 1060., 1062., 1063., and 1064., Jackson County Code, 1984, relating to purchasing, and enacting, in lieu thereof, seven new sections relating to the same subject.

ORDINANCE #3607, February 22, 2005

INTRODUCED BY Dennis Waits and Bob Spence, County Legislators

WHEREAS, Chapter 10 of the Jackson County Code, 1984, prescribes the bidding of purchasing requirements for the County; and,

WHEREAS, it is in the best interest of the County to update and improve the procedures and requirement for bidding and purchasing; and,

WHEREAS, the following amendments update and improve the bidding and purchasing procedures for the County; therefore,

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

Section A. Enacting Clause. Sections 1030., 1040., 1050., 1060., 1062., 1063., and 1064., Jackson County Code, 1984, is hereby repealed, and seven new sections enacted in lieu thereof, to be known

as sections 1030., 1040., 1050., 1060., 1062., 1063., and 1064., to read as follows:

1030. Bidding, Certain Purchases Under \$[5,000] 25,000.

The Director of Purchasing may accomplish purchases of more than [one thousand dollars (\$1,000)] five thousand dollars (\$5,000) but not more than [five thousand dollars (\$5,000)] twenty five thousand dollars (\$25,000) in the open market without newspaper advertisement and without observing the procedure prescribed in Section 1050.00 through 1057.00 for award of formal contracts.

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] 5,000.00.

It is not necessary to obtain bids on any purchase in the amount of [one thousand dollars (\$1,000)] five thousand dollars (\$5,000) or less made from any one person, firm or corporation[during any period of ninety days]. [Reference: 50.660, RSMo. 1982.]

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.] RESERVED

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.]

RESERVED

1050. Formal Bidding, Applicable Purchases.

Except as provided in section 1040. and as provided for in the Charter, 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)] twenty five thousand dollars (\$25,000), shall be purchased under formal written contract from the lowest and best bidder in the open market observing the following formal procedures.

1060. [Purchases between \$2,000 and \$5,000.

Before a purchase is made in the amount of not less than two thousand dollars (\$2,000) but not more than five thousand dollars (\$5,000), the Director of Purchasing shall give the members of the County Legislature five (5) working days written notice of the intention to make the award.] RESERVED.

1060.1 [Contents of Notice.

The notice shall set forth the bid number and title, award deadline, recommended award and amount, and list the next closest two (2) bids received, together with the findings and recommendations of the

Director of Purchasing.] RESERVED.

1060.2 [Time for Legislature to Respond.

If the Director of Purchasing has not received written objection by one (1) or more members of the County Legislature to the proposed award within the period of three (3) working days, the Director may proceed to make the award as indicated in the notice.] RESERVED.

1060.3 [Legislature Objects.

If the Director of Purchasing receives written objections by one (1) or more members of the County Legislature within the period of three (3) working days, the Director shall not make the award but shall submit his recommendations for County Legislature approval, as provided in Section 1055.00.] RESERVED.

1062. Emergency Purchases.

The County Executive may declare an emergency regarding the purchase of particular supplies, materials, equipment, or services other than personal. Those items may be purchased without compliance with the requirements of the formal contract procedure of the informal bid procedure.

1062.1 Purchases Reportable to Legislature.

Purchases in excess of [five thousand dollars (\$5,000)] twenty-five thousand dollars (\$25,000) made under the provisions of Section 1062.00 shall be reported to the County Legislature at the next regularly scheduled meeting.

1063. Sole Source Purchases.

Before a purchase is made pursuant to Section 1040.1 and which has a purchase price of over [five thousand dollars (\$5,000)] twenty-five thousand dollars (\$25,000), the Director of Purchasing shall submit said purchase to the County Legislature for approval. In his recommendation to the Legislature, the Director of Purchasing shall set out the reason for the decision not to take competitive bids.

1064. Purchase Under Other Government Contracts.

Before a purchase is made pursuant to section [1040.5] 1040.4 and which has a purchase price of over [five thousand dollars (\$5,000)] twenty-five thousand dollars (\$25,000), the Director of Purchasing shall submit said purchase to the county Legislature for approval. In his recommendation to the Legislature, the Director of Purchasing shall set out the reason for the decision not to take competitive bids.

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

APPROVED AS TO FORM:

Acting Chief Deputy County Counselor

County Counselor

I hereby certify that the attached Ordinance, Ordinance #3607 introduced on February 22,

