



CITY OF BALLWIN

14811 Manchester Road, Ballwin, MO 63011

INTRODUCED BY

ALDERMEN TERBROCK, FINLEY, ROACH, STALLMANN, FLEMING, LEAHY, KERLAGON, BULLINGTON

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**AN ORDINANCE AMENDING PURCHASING AND BIDDING REQUIREMENTS FOR CONTRACTING WITH THE CITY OF BALLWIN**

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**WHEREAS**, the Board of Aldermen of the City of Ballwin directed City staff to perform research with regard to purchasing and bidding requirements in other communities; and

**WHEREAS**, the Board of Aldermen has determined that an amendment of purchasing and bidding requirements for contracting with the City of Ballwin is merited at this time.

**NOW, THEREFORE**, be it ordained by the Board of Aldermen of the City of Ballwin, Missouri, as follows:

**Section 1.** Sec. 2-4.1. of the Code of Ordinances of the City of Ballwin shall be repealed and replaced with the following:

**Sec. 2-4.1. - Approval for expenditures.**

Whenever the city negotiates any purchase, sale, or other contract, including contracts for public improvements, there shall be ample opportunity for competitive bidding in the following manner and with due regard to obtaining products, resources, terms and conditions most advantageous to the city. No contract may be subdivided for the purpose of evading the requirements of competitive bidding.

(a) In the purchase of services, capital improvements and equipment, including, but not limited to, building improvements, police cars and street department equipment, if the consideration is estimated to be \$3,000.00 or less, bids shall be solicited, and solicitations noted, from at least three sources, in the manner prescribed by the city administrator, unless multiple sources are not available. Items in this category, if budgeted, may be approved by a department head.

(b) If the consideration is estimated to be at least \$3,000.00 but less than \$15,000.00, written bids shall be solicited, and solicitations noted, from at least three sources, unless multiple sources are not available. Items in this category, if budgeted, may be approved by the city administrator.

(c) If the consideration is estimated to be more than \$15,000.00, written bids shall be solicited, and solicitations noted, from at least three sources in the manner prescribed by the city administrator, with due regard for obtaining the most competitive prices on a consistent basis most advantageous to the city. Purchases of public improvements, services, products or resources costing \$15,000.00 or more must be approved by the board of aldermen.

(d) If the consideration is estimated to be \$10,000.00 or more, requests for bids shall be advertised in any local newspaper of general circulation and/or online bidding site or relevant trade publication. The number of bids shall not be restricted or curtailed, but shall be open to all persons complying with the terms upon which the bids are requested or solicited.

(e) Irrespective of the amount of consideration in the contract, no contract that has continued for ten years or more without competitive bidding and involving the same vendor shall be extended without a request for proposals and competitive bidding.

**Section 2.** Sec. 2-4.2.(b) of the Code of Ordinances of the City of Ballwin shall be repealed and replaced with the following:

(b) In the event that there is only one vendor capable of providing a particular good or service for which the estimated expenditure is \$15,000 or less, the competitive procedures outlined in this policy may be waived by the city administrator. A department head should document why only one company or individual is capable of providing the goods or services required whenever it is determined that goods or services must be purchased from a sole source vendor. The documentation should be attached to the purchase order and shall be recorded in the minutes of the next regular meeting of the board of aldermen. Competitive procedures for expenditures estimated to exceed \$15,000 may be waived by the board of aldermen.

**Section 3.** Sec. 2-4.2.(c) of the Code of Ordinances of the City of Ballwin shall be repealed.

**Section 4.** Sec. 2-4.5. of the Code of Ordinances of the City of Ballwin shall be repealed and replaced with the following:

**Sec. 2-4.5. – Ability to participate in cooperative purchasing plans.**

Departments are encouraged to use cooperative purchasing programs, including those sponsored by the State of Missouri and St. Louis County, Missouri. Cooperative purchasing can prove advantageous to the City both by relieving department heads of the paperwork necessary to document the purchase and by taking advantage of quantity purchases. Purchases made through these programs have met the requirements of competitive shopping and require only sufficient information to show the purchase is from such a program and the applicable referenced purchase price. Department heads are encouraged to check with the state or county regarding cooperative procurement contracts in effect prior to making any large purchase.

**Section 5.** Sec. 2-4.7. of the Code of Ordinances of the City of Ballwin shall be repealed and replaced with the following:

**Sec. 2-4.7. - Emergency repairs/purchases.**

Whenever the city administrator determines that it is in the city's best interest, emergency repairs and/or purchases totaling \$15,000 or more, necessary to maintain essential operations, may be authorized for purchase at the lowest obtainable price. A full explanation of the circumstances of the emergency purchase shall be recorded in the minutes of the next regular meeting of the board of aldermen.

**Section 6.** All ordinances or parts of ordinances in conflict herewith are to the extent of such conflict repealed.

**Section 7.** This ordinance shall take effect and be in full force from and after its passage and approval.

**PASSED** this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

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*TIM POGUE, MAYOR*

**APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

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*TIM POGUE, MAYOR*

**ATTEST:** \_\_\_\_\_  
*ERIC HANSON, CITY ADMINISTRATOR*