

AN ORDINANCE AMENDING SECTION 2-171 OF THE CODE OF ORDINANCES OF THE CITY OF MARIETTA AUTHORIZING THE CITY ADMINISTRATOR TO PURCHASE SUPPLIES, MATERIALS AND EQUIPMENT UP TO \$1,500 AND AUTHORIZING THE MAYOR TO PURCHASE SUPPLIES, MATERIALS AND EQUIPMENT UP TO \$2,500; AMENDING SECTION 2-172 OF THE CODE OF ORDINANCES OF THE CITY OF MARIETTA TO REQUIRE COMPETITIVE QUOTATIONS OF PRICES OR BIDS FOR CONTRACTS OR PURCHASES IN EXCESS OF \$5000; REPEALING ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY

BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF MARIETTA, OKLAHOMA:

SECTION 1. Section 2-171 of the Code of Ordinances of the City of Marietta is amended as follows:

Sec. 2-171. Purchases up to ~~\$1000.00~~\$2,500.00; Purchases up to \$5,000.00 when immediate need exists.

(a) A department supervisor is authorized to contract for and to purchase or issue purchase authorization for all supplies, materials and equipment for the offices, departments and agencies of the City government where such supplies, materials and equipment do not exceed the amount of \$500.00 per month.

(b) The City Administrator, as provided by Section 2-139, is authorized to contract for and to purchase or issue purchase authorization for all supplies, materials, equipment and professional and technical services for the offices, departments and agencies of the City government where such supplies, materials, equipment and professional and technical services do not exceed the amount of \$1,500.00 per month.

(c) Authorization from the Mayor shall be obtained by the department supervisor and/or the City Administrator to contract for and to purchase or issue purchase authorization for all supplies, materials, ~~and~~ equipment, and professional and technical services for the offices, departments and agencies of the City government which exceed ~~\$500.00~~the amounts authorized in subsections (a) and (b) of this Section, and do not exceed ~~\$1,000.00~~\$2,500.00.

(d) The Mayor is authorized to ~~make a purchase of supplies, materials and equipment for the offices, departments and agencies of the City government for a sum in excess of \$1,000.00~~ contract for and to purchase or issue purchase authorization for all supplies, materials, equipment, and professional and technical services for the offices, departments and agencies of the City government where such supplies, materials, equipment, and professional and technical services for a sum in excess of \$2,500.00 and less than \$5,000.00 if there exists an immediate

need for said purchase and if the Mayor obtains the approval of the Council president for said contract, purchase, or purchase authorization.

SECTION 2. Section 2-171 of the Code of Ordinances of the City of Marietta is amended as follows:

Sec. 2-172. Purchases and sales over \$1,000.00. Competitive bids required for purchases over \$2,500.00; Sales of surplus items over \$1,000.00.

(a) No contract or authorization for purchase in excess of ~~\$1,000.00~~\$2,500.00 shall be made to obligate the City or any agency of the City until there have been obtained competitive quotations of prices or bids, which quotations of prices or bids shall be submitted to the next regular meeting of the City Council for consideration by the Council. At this Council meeting or the next regular Council meeting, the Council shall act to either authorize the purchase, decline to approve the purchase or request that new quotations of prices or bids be obtained by the department desiring to make such purchase. The contract or purchase shall be awarded to the lowest and best responsible bidder. The City Council may reject all bids and buy in the open market at a price less than the lowest bid received from a responsible bidder. If no bids are received, the Mayor, with approval of the Council, may buy in the open market.

(1) Notwithstanding this Section, Section 2-173, or Section 2-174 of the Code of Ordinances of the City of Marietta, the Mayor with the approval of the Council president, is authorized to make a purchase of supplies, materials or equipment for a sum in excess of \$2,500.00 and less than \$5000.00 without obtaining competitive quotations of prices or bids if there exists an immediate need for said purchase. Further, obtaining competitive quotations of process or bids, as provided for in Section 2-172, does not apply to professional and technical services.

(b) Before ~~the purchase of or the contract for any supplies, materials or equipment or the sale of any surplus or obsolete supplies, materials or equipment,~~ the value of which exceeds the sum of \$1,000.00, ample opportunity for competitive bidding shall be given. The contract shall be awarded to the lowest and best responsible bidder for purchases and for sales shall be awarded to the highest and best responsible bidder. The City Council may reject all bids and for purchases may buy in the open market at a price less than the lowest bid received from a responsible bidder. If no bids are received, the Mayor, with approval of the Council, may buy in the open market.

(c) Notwithstanding Sections (a) and (b) of Section 2-172 above, Section 2-173, or Section 2-174 of the Code of Ordinances of the City of Marietta, the Mayor with the approval of the Council president, is authorized to make a purchase of supplies, materials or equipment for a sum in excess of \$1,000.00

~~and less than \$5000.00 without obtaining competitive quotations of prices or bids if there exists an immediate need for said purchase.~~

SECTION 3. All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, repealed.

SECTION 4. If any section, sub-section, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion of this Ordinance.

SECTION 6. It being immediately necessary for the preservation of the public peace, health, safety, and welfare of the City of Marietta and the inhabitants thereof that this ordinance be put into full effect, an emergency is hereby declared to exist by reason whereof this ordinance shall be in full force and effect from and after its passage and approval.

PASSED by the City Council and **SIGNED** by the Mayor of the City of Marietta, Oklahoma on this 11th day of July 2019.

ATTEST:



DOTTIE GWIN, CITY CLERK

CITY OF MARIETTA

BY: 

KIMBERLY FRAIRE, MAYOR

AFFIDAVIT OF PUBLICATION

~~(b) Before the purchase of or the contract for any supplies, materials or equipment or the sale of any surplus or obsolete supplies, materials or equipment, the value of which exceeds the sum of \$1,000.00, ample opportunity for competitive bidding shall be given. The contract shall be awarded to the lowest and best responsible bidder for purchases and for sales sale shall be awarded to the highest and best responsible bidder. The City Council may reject all bids and for purchases may buy in the open market at a price less than the lowest bid received from a responsible bidder. If no bids are received, the Mayor, with approval of the Council, may buy in the open market.~~

~~(c) Notwithstanding Sections (a) and (b) of Section 2-172 above, Section 2-173, or Section 2-174 of the Code of Ordinances of the City of Marietta, the Mayor with the approval of the Council president, is authorized to make a purchase of supplies, materials or equipment for a sum in excess of \$1,000.00 and less than \$5000.00 without obtaining competitive quotations of prices or bids if there exists an immediate need for said purchase.~~

SECTION 3. All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, repealed.

SECTION 4. If any section, sub-section, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion of this Ordinance.

SECTION 6. It being immediately necessary for the preservation of the public peace, health, safety, and welfare of the City of Marietta and the inhabitants thereof that this ordinance be put into full effect, an emergency is hereby declared to exist by reason whereof this ordinance shall be in full force and effect from and after its passage and approval.

PASSED by the City Council and **SIGNED** by the Mayor of the City of Marietta, Oklahoma on this 11th day of July 2019.

ATTEST:

/s/ Dottie Gwin
DOTTIE GWIN, CITY CLERK

CITY OF MARIETTA
BY: /s/ Kimberly Fraire
KIMBERLY FRAIRE, MAYOR

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