

**TOWN OF JEROME, ARIZONA
LEGAL NOTICE**

NOTICE IS HEREBY GIVEN that the following ordinance was finally adopted by the Jerome Town Council on **September 12, 2017**:

ORDINANCE NO. 434

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF JEROME, YAVAPAI COUNTY, ARIZONA, AMENDING SECTION 3-3-6, "PURCHASING PROCEDURE," OF THE JEROME TOWN CODE

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF JEROME, YAVAPAI COUNTY, ARIZONA, AS FOLLOWS:

Section 1. Section 3-3-6, "Purchasing Procedure," of the Jerome Town Code is hereby amended as follows (additions underlined, deletions in ~~strikeout text~~):

Section 3-3-6 Purchasing Procedure

- A. The purchasing officer shall make purchases, leases, rentals, and contracts for supplies, services and equipment not to exceed ~~two thousand five hundred~~ five thousand dollars (~~\$5,000~~2,500.00) in any one transaction in the open market, after such inquiry as he/she deems necessary to ensure the price obtained is the most advantageous to the Town. Such purchases shall be made using simplified and cost effective operational procedures and forms without the use of formal or informal bids.

- B. For purchases, leases, rentals, and contracts for supplies, services and equipment from ~~two thousand five hundred~~ five thousand dollars (~~\$5,000~~2,500.00) to twenty ~~ten~~ thousand dollars (~~\$10,000~~20,000.00), and for the acquisition of any used equipment, the purchasing officer or his/her designee shall solicit price quotations orally, by telephone, or in writing from at least three suppliers, whenever practicable, and he/she shall keep on file a tabulation of solicitations made or quotations received.

- C. For purchases, leases, rentals and contracts for supplies, services and new equipment from twenty ~~ten~~ thousand dollars (~~\$10,000~~20,000.00) to fifty ~~twenty-five~~ thousand dollars (~~\$50,000~~25,000.00), the purchasing officer or his/her designee shall solicit written price quotations on vendor's letterhead from at least three suppliers, whenever practicable, and he/she shall keep on file the quotations received.

- D. Except as provided in paragraphs E and F below, procurements anticipated to cost more than ~~twenty-five~~ fifty thousand dollars (~~\$50,000~~25,000) in one transaction shall be made by issuance of written invitations for bids. Bid documents include, at a minimum, the notice inviting bids; instructions to bidders; specifications describing the required goods and/or services; bid forms and schedules; any required bond forms, required insurance and proposed contract terms and conditions. The purchasing officer shall invite bids by:
 - 1. Advertisement in at least one newspaper of general, local circulation, at least 15 calendar days before the bid opening date; and
 - 2. Mailing of invitations to bid to at least three suppliers, and the posting of a notice on

Jerome Town Hall Located at 600 Clark Street, Jerome Civic Center

the official public bulletin boards in Town.

- E. Procurements of supplies, goods or services that require exceptional technical knowledge or professional expertise ~~beyond that available within the end user, where the anticipated cost will exceed twenty five thousand dollars (\$25,000) in one transaction,~~ may be made by issuance of written requests for proposals. The circumstances may require that a contract award be based on factors in addition to price. The purchasing officer may enter into discussions with proposers to achieve clarification, full understanding and responsiveness to the solicitation requirements, but neither the purchasing officer nor any other Town official or employee shall disclose any information derived from proposals submitted by competing proposers prior to contract award or rejection, except to Town employees directly responsible for the procurement.

F. All contracts and purchases exceeding \$50,000 shall be approved by the Town Council.

G. The following procurements are exempt from the competitive bidding provisions of this Code:

1. Professional or specialized services;
2. Emergency procurements, if there exists a threat to public health, welfare, or safety or if a situation exists which makes compliance with this section impracticable, unnecessary or contrary to the public interest, except that such emergency procurements shall be made with such competition as is practicable under the circumstances. A written determination of the basis for the emergency and for the selection of the particular contractor shall be included in the contract file.;
3. Situations where solicitations of bids or proposals would for any reason be impractical, unavailing or impossible;
4. Sole source procurements;
5. Insurance and bonds;
6. Procurements funded by grants, donations or gifts when the special conditions attached to the grants, donations or gifts require the procurement of particular goods and/or services;
7. Works of art, entertainment or performance;
8. Property owned by another governmental entity;
9. Membership dues, conventions, training, and travel arrangements;
10. Advertisements in magazines, newspapers, or other media;
11. Goods procured for resale to the public;
12. Cooperative procurements as set forth in A.R.S. 41-2632.

Nothing in this section shall preclude the solicitation of competitive bids or proposals, when possible.

Section 2. Following its adoption, this Ordinance shall be published by the Town Clerk in accordance with the requirements of A.R.S. § 39-203 *et seq.*

Section 3. All ordinances or parts of ordinances that are in conflict with the provisions of this Ordinance are hereby repealed to the extent of their inconsistency herewith.

Section 4. Should any section or provision of this Ordinance be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of this Ordinance, any provision incorporated by reference and any other provision of the Town Code as a whole or any part thereof other than the part so declared invalid.

Candace B. Gallagher, CMC
Town Manager/Clerk