

CITY OF VON ORMY TEXAS

ORDINANCE NO. 2011-62

AN ORDINANCE OF THE CITY OF VON ORMY, TEXAS, FOR PROCUREMENT METHOD FOR AWARDING OF CONTRACTS; PROVIDING A REPEALING AND SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of Von Ormy has deemed it appropriate to provide a procurement method for the awarding of contracts; and

WHEREAS, the City of Von Ormy has determined that the PROCUREMENT method adopted is consistent with the goals of awarding of contracts within the community of Von Ormy and is in the best interest of the City; and

NOW THEREFORE: BE IT ORDAINED BY THE CITY COUNCIL OF VON ORMY

SECTION 1. CONTRACTS OF MORE THAN \$50,000.00. City of Von Ormy shall follow the methods as stated within §252.021 of the Texas Local Government Code for the entering of a contract which require expenditures of more than \$50,000.00 in city funds in a 12 month time period.

The contract must be awarded to the lowest responsible bidder or to the bidder who provides goods or services at the “best value” for the city using the following criteria:

- the purchase price
- the reputation of the bidder and of the bidder’s goods or services;
- the quality of the bidder’s goods or services;
- the extent to which the goods or services meets the City’s needs;
- the bidder’s past relationship with the City’
- the impact on the ability of the municipality to comply with laws and rules relating to contracting with historically underutilized businesses and nonprofit organizations employing persons with disabilities;
- the total long-term cost to the municipality to acquire the bidder’s goods or services; and
- an relevant criteria specifically listed in the request for bids or proposals.

The City must publish notice of the time and place at which the bids or proposals will be publicly opened and read aloud. The notice must be published at least once a week for two consecutive weeks. The first publication must appear before the 14th day before the

date that the bids or proposals are publicly opened and read aloud. The notice must be placed in a newspaper that is published in the City and City internet cite. The City shall prepare specifications detailing the requirements that must be met by the goods or services which the City intends to purchase. The published notice shall include either a copy of the specifications or information on how the bidder may obtain a copy of these specifications.

The City Council will award the contract to the lowest responsible bidder or the bidder that provides the best value to the City. The City may reject all bids.

SECTION 2. CONTRACTS OF MORE THAN \$10,000.00 BUT LESS THAN \$50,000.00. Any single purchase of goods or services that cost more than \$10,000.00 but less than \$50,000.00 shall require the City Council to determine method of procurement.

SECTION 3. CONTRACTS LESS THAN \$10,000.00. Shall require the City Council approval before the transaction may take place.

SECTION 4. PROFESSIONAL SERVICES. The City shall abide by the Professional Services Procurement Act to contract for these type of services.

SECTION 5. MISCELLANEOUS. Any contract which is not stated above shall be governed by statute and/or rule of law which applies.

SECTION 6. SAVINGS/REPEALING CLAUSE. All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict; but such repeal shall not abate any pending prosecution for violation of the repealed ordinance ,nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portions of said ordinances shall remain in full force and effect,

SECTION 7. SEVERABILITY. Should any section, subsection, sentence clause or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect, the City of Von Ormy hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional or invalid.

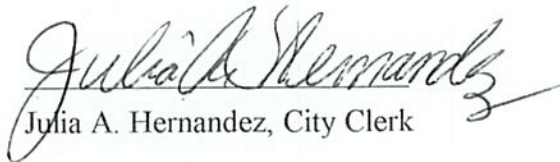
SECTION 8. EFFECTIVE DATE: This Ordinance is to become effective the date of its passage.

PASSED, APPROVED AND ADOPTED THIS 5TH DAY OF JANUARY, 2011.



Art Martinez de Vara, Mayor

ATTEST



Julia A. Hernandez, City Clerk