



Legislation Details (With Text)

**File #:** ID#21-9037    **Version:** 1    **Name:** Ordinance 9460-21  
**Type:** Action Item    **Status:** Passed  
**File created:** 3/29/2021    **In control:** Legal  
**On agenda:** 4/15/2021    **Final action:** 4/15/2021  
**Title:** Amend the Clearwater Code of Ordinances by replacing Division 3 of Article VI, Chapter 2, in its entirety with a revised Division 3 of Article VI, Chapter 2; and by replacing Division 4 of Article VI, Chapter 2, in its entirety with a revised Division 4 of Article VI, Chapter 2, and pass Ordinance 9460-21 on first reading.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 9460-21

Date	Ver.	Action By	Action	Result
4/15/2021	1	City Council		
4/12/2021	1	Council Work Session		

**SUBJECT/RECOMMENDATION:**

Amend the Clearwater Code of Ordinances by replacing Division 3 of Article VI, Chapter 2, in its entirety with a revised Division 3 of Article VI, Chapter 2; and by replacing Division 4 of Article VI, Chapter 2, in its entirety with a revised Division 4 of Article VI, Chapter 2, and pass Ordinance 9460-21 on first reading.

**SUMMARY:**

Division 3 of Article VI, Chapter 2 governs the purchasing procedures for the acquisition of commodities, services, and construction, and the expenditure of those funds. Division 4 of Article VI, Chapter 2 governs the disposal and disposition of surplus personal property. These Divisions have not been updated, revised, or amended since 2006. This amendment replaces and revises both Divisions, and is needed to simply, clarify, modernize, and better organize the City's procurement and surplus code. These changes are as follows:

Sec. 2.541 - Revise purpose and application of Division 3.

Sec. 2.542 - Updates to definitions.

Sec. 2.543 - Adds public access to procurement information.

Sec. 2.544-2.547 - Reserved.

Sec. 2.551 - Clarifies purchasing agent authority.

Sec. 2.552 - Revise centralization of procurement authority.

Sec. 2.553 - Update submittal of requests.

Sec. 2.554 - Clarifies authority for purchases of commodities, services, and construction. Adds signature authority and clarifies approval authority. Requires appropriations clause for multiyear contracts.

Adds procurement manager authority. Limits department director approval authority to \$2,500 per purchase. Updates change orders.

Sec. 2.561 - New section includes methods of source selection. Updates competitive sealed bids. Adds competitive sealed proposals and request for qualifications. Establishes thresholds for small purchases and micro purchases. Adds CCNA for professional services, including roster of firms. Revise construction management at risk and design build. Adds invitation to negotiate, job order contracting, and reverse auctions.

Sec. 2.562 - Revise disqualification, rejection, and bid protest. Changes bid protest fee from 5% / \$2500 to 1% / \$5000.

Sec. 2.563 - Clarifies exceptions, including single source and emergency. Adds regulated utilities, copyrighted materials, and services purchased for resale.

Sec. 2.564 - Adds specifications preparations.

Sec. 2.565 - Adds authority to debar or suspend.

Sec. 2.566 - Adds no contact period.

Sec. 2.571 - Adds standard of conduct in procurement.

Sec. 2.601-2.608 - Reserved.

Sec. 2.621 - Adds definition of tangible personal property.

Sec. 2.622 - Revises surplus sales officer.

Sec. 2.623 - Adds procedures to disposal of surplus tangible personal property. Combines methods and exceptions of disposal into one section.

Sec. 2.624 - Reserved.

**APPROPRIATION CODE AND AMOUNT:**

N/A

**USE OF RESERVE FUNDS:**

N/A