



AGENCY:	City Council
MEETING DATE:	July 27, 2015
DEPARTMENT:	Administration
PRESENTED BY:	L. Ruffing

## AGENDA ITEM SUMMARY

### **TITLE:**

**RECEIVE RECOMMENDATION OF FINANCE & ADMINISTRATION COMMITTEE AND CONSIDER INTRODUCING, BY TITLE ONLY, AND WAIVE FURTHER READING OF ORDINANCE 917-2-15 AMENDING CHAPTER 3.20 (PURCHASING, PROCUREMENT AND ELASING) OF THE FORT BRAGG MUNICIPAL CODE**

### **ISSUE:**

City staff has identified the need to update Fort Bragg Municipal Code (FBMC) Chapter 3.20, which governs purchasing, procurement and leasing of supplies, equipment, and services. The current ordinance contains inconsistencies and is difficult to understand and administer. Additionally, staff believes the City's purchasing procedures would be improved by allowing for informal bidding procedures in certain circumstances, consistent with the Uniform Public Construction Cost Accounting Act. A separate agenda item is presented on the informal bidding and Uniform Public Construction Cost Accounting Act. On October 2, 2013, November 6, 2013, June 26, 2015, and June 29, 2015, the Finance & Administration Committee considered proposed updates to Fort Bragg Municipal Code (FBMC) Chapter 3.20, which governs purchasing, procurement and leasing of supplies, equipment, and services. The Committee recommended that the ordinance be reviewed by the City Attorney's office and then be brought forward to the City Council for introduction and adoption.

### **RECOMMENDED ACTION:**

Introduce, by Title Only, and Waive Further Reading of Ordinance 917-2015 Amending Chapter 3.20 (Purchasing, Procurement and Leasing) of the Fort Bragg Municipal Code

### **ALTERNATIVE ACTION(S):**

1. Continue action on the matter. Provide direction to staff regarding modifications to proposed ordinance and/or additional information necessary to inform Council's legislative process.

### **ANALYSIS:**

The City's current purchasing regulations create inefficiencies by requiring City Council approval for almost every contract, resulting in delays, and costs associated with preparing staff reports and resolutions, etc. In addition, the regulations are awkwardly written, and difficult to interpret.

To address this, the attached ordinance updates and simplifies the City's purchasing ordinance. The ordinance very clearly establishes categories of purchases that are exempt from its regulations. It then establishes the duties and authority of the Purchasing Officer. And lastly, it establishes purchasing procedures for purchases that are less than \$45,000 and for purchases that are more than \$45,000. For contracts more than \$45,000, formal bidding procedures apply as described in Section 3.20.060 and the Council must award the contract.

The ordinance gives the Purchasing Officer (i.e., the City Manager) authority to negotiate and sign any contract up to and including \$5,000 and also to sign any contract between \$5,001 and \$25,000 once firm quotes are obtained from at least three vendors.

**FISCAL IMPACT:**

The modifications to the City's purchasing regulations will result in greater efficiencies and are expected to have a neutral or positive fiscal effect.

**IMPLEMENTATION/TIMEFRAMES:**

If the ordinance is introduced by the Council, it will be brought back for adoption on August 10, 2015 and would become effective on September 9, 2015.

**ATTACHMENTS:**

1. Ordinance 917-2015
2. Existing Chapter 3.20 (Purchasing, Procurement, Leasing)
3. 10-2-2013 FAC Minutes
4. 11-06-2013 FAC Minutes
5. 07-01-2015 FAC Minutes

**NOTIFICATION:**

1. None

**City Clerk's Office Use Only**

Agency Action      ☐ Approved      ☐ Denied      ☐ Approved as Amended

Resolution No.: \_\_\_\_\_ Ordinance No.: \_\_\_\_\_

Moved by: \_\_\_\_\_ Seconded by: \_\_\_\_\_

Vote: \_\_\_\_\_

☐ Deferred/Continued to meeting of: \_\_\_\_\_

☐ Referred to: \_\_\_\_\_