



City of Hampton, Virginia

Ordinance - Coded

22 Lincoln Street
Hampton, VA 23669
www.hampton.gov

File Number: 10-0479

Enactment Number: 10-0025

An Ordinance To Amend And Re-Enact Chapter 2, “Administration”, Article XIV, “Procurement Office”, Section 2-326 Of The Code Of The City Of Hampton, Virginia, Entitled “Competitive Bidding Requirements” To Address Cooperative Procurement and Local Procurement Efforts by Departmental Purchasers

BE IT ORDAINED, by the Council of the City of Hampton, Virginia, that Chapter 2, Article XIV, Section 2-326 of the Code of the City of Hampton, Virginia, be amended and re-enacted to read as follows:

Sec. 2-326 Competitive bidding requirements.

Except in specific situations as defined in this article, all purchase orders or contracts for public procurement shall be issued only after prices have been obtained in accordance with the applicable processes set forth in this section as follows:

(1) Advertised, competitive sealed bidding or competitive sealed proposals shall not be required for procurements below thirty thousand dollars (\$30,000.00). Instead, the following competitive procurement procedures shall apply:

(a) For procurements not exceeding five thousand dollars (\$5,000.00) city departments shall solicit price quotes and at least one (1) quote shall be solicited from a minority-owned or woman-owned business enterprise, whenever feasible. Quotes may be obtained either orally or in writing.

(b) For procurements between five thousand one dollars (\$5,001.00) and nine-thousand nine hundred ninety-nine dollars and ninety-nine cents (\$9,999.99) city departments shall solicit at least three (3) price quotes to include any price available pursuant to state or local government cooperative procurement, and where feasible, a quote from a local vendor and from a certified minority-owned or woman-owned business enterprise. Quotes may be obtained either orally or in writing.

(c) For procurements between ten thousand dollars (\$10,000.00) and twenty-nine thousand nine hundred ninety-nine dollars and ninety-nine cents (\$29,999.99) the procurement office shall solicit at least four (4) written price quotes and at least two (2) of those quotes shall be solicited from certified minority-owned or woman-owned business enterprises.

(2) Formal, sealed bids or proposals shall be required for all procurements of thirty thousand dollars (\$30,000.00) and over and shall be administered by the procurement office of the department of finance. Advertisements for such bids or proposals shall be placed at least ten (10) days prior to the bid or proposal opening date in a newspaper having a general circulation in the city and shall state the place where vendors may examine any plans or specifications and receive bid or proposal forms, and the time and place where bids or proposals will be received and opened. The chief procurement officer or his designated representative is directed, in addition to the above-mentioned advertisement, to solicit bids or proposals from prospective vendors, including at least four (4) certified minority-owned or women-owned enterprises, by forwarding written notice to such prospective vendors.

All bids or proposals provided for in this subsection (2) shall be submitted sealed to the chief procurement officer or his designated representative at the place designated in the advertisement prior to the stated time for the opening. All such bids or proposals received shall be opened in public at the time and place stated in the advertisement.

(3) In solicitations for procurements of one hundred thousand dollars (\$100,000.00) and above, the chief procurement officer shall set individualized goals for participation of certified minority-owned business enterprises and women-owned business enterprises in accordance with the city's minority business program plan as approved and amended by city council from time to time upon the recommendation of the city manager.

(4) Where multiple quotes are obtained pursuant to any process set forth in this subsection, city departments and/or the procurement office, as applicable, shall award to the lowest "responsible" vendor as that term is defined by the Virginia Public Procurement Act, Virginia Code § 2.2-4300 et seq., as amended. The failure of any person or firm to receive notice of solicitation by letter or telephone shall not affect the validity of any procurement under this subsection. A written record of all the solicitations and the quotes or proposals received shall be made a part of the purchasing records, including documentation of all efforts required by this subsection to solicit quotes from minority- and women-owned businesses. The chief procurement officer shall issue

policies setting forth the content and form of documentation
necessary to satisfy the requirements of this subsection.

Adopted at the regular meeting of the City Council of the City of Hampton, Virginia held
on November 10, 2010.

Signed by _____ **Date** _____
Molly Joseph Ward, Mayor

Attested by _____ **Date** _____
Katherine K. Glass, CMC
Clerk of the Council