

**BILL NO. 2020-55**

**ORDINANCE NO. 2020-4601**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BELTON, MISSOURI AMENDING CHAPTER 2, ARTICLE IV, DIVISION 2 OF THE CODE OF ORDINANCES, CITY OF BELTON; ENACTING NEW PROVISIONS RELATING TO THE CITY'S PURCHASING POLICY; AND ADOPTING THE CITY OF BELTON PURCHASING POLICY.**

**WHEREAS**, the efficient and effective procurement of goods, supplies, and services is essential to ensure that the City of Belton (the "City") obtains the lowest prices and fees for goods, supplies, and services; and

**WHEREAS**, Chapter 2, Article IV, Division 2 of the Code of Ordinances, City of Belton, Missouri contains inconsistencies and inefficiencies that at times prevent the City from or unduly delays the City in obtaining the lowest prices and fees for needed goods, supplies, and services; and

**WHEREAS**, to ensure that the City, through its appointed officials and staff, continues to be good a steward of public funds, the City Council desires to amend certain provisions within the Code of Ordinances, City of Belton, Missouri and enact the City of Belton Purchasing Policy.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BELTON, MISSOURI, AS FOLLOWS:**

**Section 1.** Chapter 2, Article, IV, Division 2 of the Code of Ordinances, City of Belton, Missouri is hereby deleted in its entirety and replaced with the following:

**Sec. 2-290. – Purchasing Policy**

The City Council by Ordinance No. 2020-4601 adopted the City of Belton Purchasing Policy, a copy of which is on file with the City Clerk. The City Manager or their designee may promulgate regulations dealing with the purchasing of goods, supplies, and services consistent with the Charter, the Code of Ordinances, and the City of Belton Purchasing Policy.

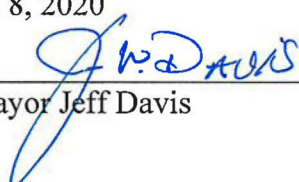
**Section 2.** The City Council hereby adopts the City of Belton Purchasing Policy attached hereto as **Exhibit A** and incorporated as if fully set forth herein.

**Section 3.** That all ordinances or parts of ordinances in conflict with the provisions hereof are hereby repealed.

**Section 4.** That this Ordinance shall take effect and be in full force from and after its passage and approval.

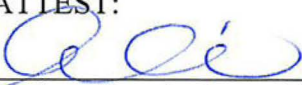
READ FOR THE FIRST TIME: November 24, 2020

READ FOR THE SECOND TIME AND PASSED: December 8, 2020

  
\_\_\_\_\_  
Mayor Jeff Davis

Approved this 8<sup>th</sup> day of December, 2020.

  
\_\_\_\_\_  
Mayor Jeff Davis

ATTEST:  
  
\_\_\_\_\_  
Andrea Cunningham, City Clerk  
of the City of Belton, Missouri

STATE OF MISSOURI)  
CITY OF BELTON ) SS  
COUNTY OF CASS )

I, Andrea Cunningham, City Clerk, do hereby certify that I have been duly appointed City Clerk of the City of Belton and that the foregoing ordinance was regularly introduced for first reading at a meeting of the City Council held on the 24<sup>th</sup> day of November, 2020, and thereafter adopted as Ordinance No. 2020-4601 of the City of Belton, Missouri, at a regular meeting of the City Council held on the 8<sup>th</sup> day of December, 2020, after the second reading thereof by the following vote, to-wit:

AYES: 9                      COUNCILMEN:                      VanWinkle, Trutzel, Lathrop, Savage,  
Clark, Mayor Davis, Finn, Davidson, Peek

NOES: 0                      COUNCILMEN:

ABSENT: 0                      COUNCILMEN:

  
\_\_\_\_\_  
Andrea Cunningham, City Clerk  
of the City of Belton, Missouri

# City of Belton Purchasing Policy



## Policy Objectives

This policy provides guidance to the City of Belton employees in selecting vendors and contracting for goods and services.

The objectives of this purchasing policy are:

- Efficient and effective procurement processes
- Obtaining the lowest prices/fees by encouraging competition in all procurements
- Fair and open bidding processes
- Compliance with federal and state laws and requirements

## Application

This policy applies to all purchases and contracts entered into by the City, except for professional services or other services that are in their nature unique and not subject to competition. It shall apply to every expenditure of public funds for supplies and materials by a public department for public purchasing irrespective of the source of the funds. If City staff or resources are used in any manner, this policy shall apply. When the purchase involves the expenditure of federal or state assistance or contract funds, the purchase shall be conducted in accordance with any mandatory applicable federal and/or state laws and regulations. Nothing in this policy shall prevent any public department from complying with the terms and conditions of any grant, gift, or bequest that is otherwise consistent with the law.

## Purchasing Authority and Approval Table

Department Heads, Assistant City Manager, City Manager, and the City Council are granted specific purchasing authorization levels and are considered authorized purchasers for this policy. The following chart provides a reference guide on approval requirements for purchases.

Amount	Department Head	Assistant City Manager	City Manager	City Council
\$0 to \$1,500	X			
\$1,501 to \$15,000	X			
\$15,001 to \$25,000	X	X	X	
\$25,001 and above	X	X	X	X

## Purchases of less than \$1,500

Purchases up to \$1,500 can be made by employees with approval by the Department Head. No public notice or advertising is required.

### **Purchases of \$1,501 to \$15,000**

Purchases of at least \$1,501 but less than \$15,000 may be made by the Department Head. These purchases require the department to obtain at least three (3) competitive fax, email, and/or informal written quotes. No advertising is required; however, departments are encouraged to actively solicit potential vendors.

### **Purchases of \$15,001 to \$25,000**

Purchases of at least \$15,001 but less than \$25,000 may be made by the Department Head with the Assistant City Manager and City Manager approval. These purchases require the department to obtain at least three (3) competitive fax, email, and/or informal written quotes. Each bid document will be posted on the City of Belton Website.

### **Purchases of \$ 25,001 and above**

Purchases of \$25,001 and above require approval of Department Head, Assistant City Manager, and City Manager, with final approval by the City Council and must undergo the formal bid process as discussed herein.

### **Cooperative Governmental Purchasing Contracts**

Cooperative governmental purchasing contracts and contracts awarded by another governmental agency allow the City of Belton and other governmental entities to make purchases under contracts or agreements competitively bid and negotiated by one of the entities. **If the goods or services covered by such an agreement meet the City of Belton's needs, staff is encouraged to make purchases under the agreement without seeking additional bids.** Utilization of Cooperative Contracts **does not** alter the approval(s) required for purchasing.

### **Formal Bidding Procedure**

The purpose of competitive bidding is to ensure that public monies are spent properly, legally and that the best possible value is received for the money. It is also to give qualified and responsible vendors a fair and equitable opportunity to do business with the City. Utility charges shall be exempt from the formal bid procedures.

### **Number of Bids**

All purchases and sales subject to the bidding procedure shall be based on contacting at least three (3) suppliers for a bid(s).

### **Invitation of Bids**

An invitation for bids shall be issued and shall include specification and contractual terms and conditions applicable to the purchase. Criteria for evaluation shall be set forth in the invitation for bids.

**Public Notice**

Adequate public notice of the invitation for bids shall be given in a reasonable time, no less than five (5) calendar days prior to the date set forth therein for the opening of bids. Notice inviting bids may be published once in at least one trade journal, local news publication or other publication, including, but not limited to, posting on the city or other relevant websites or other accepted means of electronic publication, deemed suitable by the City Manager, Department Head, or other appropriate official of the City as the case may be.

**Opening Bids**

All bids shall be submitted to the City Clerk or other appropriate official of the City and shall be identified by the bidding number on the envelope or package or as instructed by the bid documents. Bids shall be opened publicly in the presence of one or more witnesses.

**Award**

The Department Head, with the approval of the City Manager, shall have the authority to negotiate contracts within the purview of this policy. The City reserves the right to reject all or any bids; to waive irregularities, and to accept any bid which it deems to be most favorable to the interest of the City.

**Sole Sources Purchases**

In some instances, a particular good or service may only be available from one vendor. In these instances, the regular procurement quote/bid processes are waived. Sole source determination will need to be approved by the City Manager before the purchase is made.

**Emergency Purchases**

The following purchases are exempt from competitive bidding:

1. Items purchased in case of public calamity or emergency as declared by the appropriate governmental entity or official to relieve the needs of the citizens or to preserve City property.
2. Items to preserve or protect the public health, safety, or welfare of the City's residents.
3. Items necessary because of unforeseen damage to public machinery, equipment, or other property.

**Engineering, Architectural and Land Surveying Services**

Missouri law provides for a selection process based on a qualification-based system, rather than a competitive price bidding system, with regard to procuring engineering, architectural and land surveying services. Sections 8.285 – 8.291, RSMo. The City will follow these state law provisions with respect to engineering, architectural and land surveying services.

**Construction Manager-At-Risk**

Missouri law provides a process for a two-step selection process for the selection of construction managers-at-risk. Section 67.5050, RSMo. Additionally, Missouri law provides that a home rule

city under Article IV, Section 19 of the Missouri Constitution may vary from Missouri's two-step selection process. Section 67.5050.14(2), RSMo. The City adheres to Missouri's two-step selection process, except the City is not required to publicly disclose at a regular meeting the City's intent to utilize a construction manager-at-risk as stated in Section 67.5050.3, RSMo.

**Design-Build**

Missouri law provides a process for the utilization of the design-build process. Section 67.5060, RSMo. Missouri law also provides that a home rule city under Article IV, Section 19 of the Missouri Constitution may vary from the process outlined in Section 67.5060, RSMo. The City adheres to the process outlined in Section 67.5060, RSMo except for sections and subsections regarding the receipt of a stipend or City providing a stipend to the design-builders under Section 67.5060.6(8), RSMo; Section 67.5060.14(5), RSMo; Section 67.5060.15, RSMo.