

THE CITY OF CRANSTON

ORDINANCE OF THE CITY COUNCIL
IN AMENDMENT OF CHAPTER 3.08 OF THE CITY OF CRANSTON, 2005, ENTITLED
'BOARD OF CONTRACT AND PURCHASE'

No. 2024-6

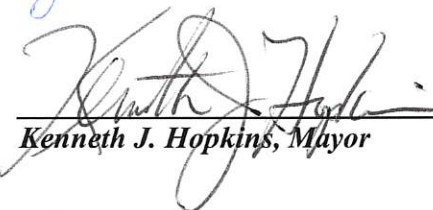
Passed:

March 25, 2024



*Jessica M. Marino, Council President**Approved:*

March 27, 2024



*Kenneth J. Hopkins, Mayor**It is ordained by the City Council of the City of Cranston as follows:***Section 1. Section 3.08.060** is hereby amended as follows:**(language added is in bold and underlined)****(deleted language is struck through)****3.08.060 Board of contract and purchase.**

- A. The board of contract and purchase shall meet on the first and third Tuesday of every month at 6:00 p.m. in the Cranston City Hall. If a regularly scheduled meeting should fall on a holiday or have to be postponed for some act of God, then said meeting may be held either on the day immediately following the regularly scheduled meeting or on the next available regularly scheduled meeting date. In the event of an emergency affecting the public safety, health or welfare, on the written recommendation of the purchasing agent, additional meetings of the board of contract and purchase may held provided that written public notice of said meeting, as provided for in Chapter 42-46 of the General Laws of the state of Rhode Island, 1956, as amended, is given. The agenda, the time and the location of each meeting, excepting an emergency meeting as hereinabove provided, shall be advertised in a paper of local circulation at least one week prior to the meeting. No meeting or vote of any kind of the board of contract and purchase shall be conducted by means of electronic communication. The board of contract

and purchase shall keep written minutes of all of its meetings. The minutes shall include, but need not be limited to:

1. The date, time, and place of the meeting;
2. The members of the board of contract and purchase recorded as either present or absent;
3. The name and address of any person speaking on a particular agenda item;
4. An outline or condensed version of the discussion regarding a particular agenda item;
5. In the case of a bid opening, the name and address of such bidder and the amount of their bid;
6. A record by individual members of any vote taken.

B. The board of contract and purchase shall neither consider nor vote on any matter other than a procedural matter or emergency matter which is not on the agenda or has not been advertised for said meeting as provided for in subsection (A).

C. No contract awarded by the board of contract and purchase, other than in an emergency as provided for in subsection (A), shall be extended or amended, nor shall any change order be adopted unless said extension, amendment or change order is advertised and approved by the board of contract and purchase at a regularly scheduled or emergency meeting.

D. No contract awarded by the board of contract and purchase shall be extended or amended if the result of said extension or amendment is to materially alter the terms of the original contract. A "material alteration," for the purposes of this section, is an alteration or extension of a contract which increases the original contract amount by more than fifteen (15) percent. Any contract, which the board wishes to materially alter, must be rebid.

E. No payment shall be authorized nor made for any work not approved by the board of contract and purchase when said board approval is required by either the Cranston city charter or ordinance enacted thereunder.

F. The ~~board~~ **board** of contract and purchase shall consist of the following members:

1. The director of public works;
2. The director of finance;
3. The president of the council or his or her designee; **shall appoint one (1) private citizen, who shall be a person skilled in governmental or private business purchasing and property control and accountability, appointed in the month of January of each year**
4. ~~One member of the minority party of council to be appointed, on the first Monday in January following a city election and on the fourth Monday in January for a non-election year, or if there be no such minority member of the council then the appointment shall be made by the city chairperson of the political party whose endorsed candidate for a city~~

wide council seat received the most votes next after the lowest number of votes cast by the electorate for successful candidate for a city wide council seat in the preceding election or his or her designee.

5. ~~4.~~ Two private citizens, who shall be persons skilled in governmental or private business purchasing and property control and accountability, appointed ~~on the first Monday in the month~~ of January of each year following a city election and ~~on the fourth Monday in January for a non-election year~~ by the leader of the majority party in the council.

6. ~~5.~~ One Two private citizens, who shall be a persons skilled in governmental or private business purchasing and property control and accountability, appointed ~~on the first Monday in~~ in the month of January following a city election and ~~on the fourth Monday in January for a non-election year,~~ of each year by the council minority leader or if there be no such a minority member of the council then the appointment shall be made by the city chairperson of the political party whose endorsed candidate for a city wide council seat received the most votes next after the lowest number of votes cast by the electorate for a successful candidate for a city wide council seat in the preceding election or his or her designee.

7. ~~6.~~ Any vacancy on board of contract and purchase shall be filled in the same manner as the original appointment for the remainder of the unexpired term.

G. The chair of said board of contract and purchase shall be designated by the council president from among the public members.

H. The chair of said board of contract and purchase shall review the meeting agenda and written minutes of any meetings.

Section 2. This ordinance shall take effect upon its final adoption.

Positive Endorsement:

Negative Endorsement: (Attach reasons)

City Solicitor John Verdeccia Date 3/25/24

City Solicitor _____ Date _____

Sponsored by Council President Marino

Referred to Ordinance Committee March 14, 2024