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ORDINANCE AMENDMENT

NO. OA-2026-03

**AN ORDINANCE OF THE CITY OF DALLAS, GEORGIA,
REPEALING AND REPLACING DIVISION 6 OF ARTICLE IV,
CHAPTER 2 OF THE CODE OF ORDINANCES TO MODERNIZE
AND CENTRALIZE PROCUREMENT AND CONTRACT
MANAGEMENT UNDER THE CITY MANAGER, WITH REVIEW
AND CONCURRENCE FROM THE CITY ATTORNEY AND
FINANCE DIRECTOR; TO ESTABLISH PURCHASING
THRESHOLDS AND APPROVAL AUTHORITY; TO PROVIDE FOR
ADMINISTRATIVE PROCEDURES; TO ENSURE COMPLIANCE
WITH GEORGIA PROCUREMENT LAWS AND FEDERAL
REQUIREMENTS WHEN APPLICABLE; TO PROVIDE FOR
CODIFICATION, REPEAL, SEVERABILITY, AND EFFECTIVE
DATE; AND FOR OTHER LAWFUL PURPOSES.**

WHEREAS, the Mayor and Council of the City of Dallas find that efficient and accountable procurement practices are essential to the responsible stewardship of public funds; and

WHEREAS, the City Charter vests executive authority in the City Manager for the administration of City operations, including procurement and contract management; and

WHEREAS, Georgia law authorizes municipalities to adopt ordinances regulating the purchase of supplies, materials, equipment, and services pursuant to O.C.G.A. § 36-35-3(a) and to establish competitive procurement procedures pursuant to O.C.G.A. Title 36, Chapter 91; and

WHEREAS, the City is entrusted with significant taxpayer resources and has a fiduciary duty to procure goods, services, and construction through fair, transparent, and competitive processes that maximize public value and prevent waste, fraud, and favoritism; and

WHEREAS, the existing purchasing ordinances have become outdated, fragmented, and inconsistent with modern procurement practices and contemporary purchasing thresholds; and

40 **WHEREAS**, proper procurement controls require appropriate segregation of duties, with
41 the City Manager exercising approval authority, the Finance Director
42 ensuring fiscal accountability, and the City Attorney providing legal review
43 to protect the City's interests; and

44
45 **WHEREAS**, centralizing procurement authority under the City Manager, with
46 appropriate legal and financial oversight, will improve accountability,
47 ensure compliance with state and federal law, and reduce operational
48 inefficiencies; and

49
50 **WHEREAS**, this ordinance establishes clear purchasing thresholds, approval
51 requirements, and oversight mechanisms while delegating detailed
52 administrative procedures to a Procurement Procedures Manual maintained
53 by the City Manager;

54
55 **NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the City of
56 Dallas, Georgia, as follows:

57
58 **SECTION I. REPEAL OF EXISTING ORDINANCE - Chapter 2 -**
59 **ADMINISTRATION, ARTICLE IV. – DEPARTMENTS, DIVISION 6. –**
60 **PURCHASING DEPARTMENT** and all amendments thereto, are hereby repealed in
61 their entirety and replaced with the following:

62
63 **SECTION II - ADOPTION OF NEW DIVISION 6 OF ARTICLE IV, CHAPTER 2**
64 **OF THE CODE OF ORDINANCES.**

65
66 **DIVISION 6 – PROCUREMENT AND CONTRACT MANAGEMENT**

67
68 **SECTION 2-218. TITLE; PURPOSE; SCOPE.**

69 (a) Title. This Division shall be known and may be cited as the "Procurement and
70 Contract Management Ordinance."

71 (b) Purpose. The purpose of this Division is to:

- 72 (1) Establish consistent, transparent, and efficient procedures for all purchasing
73 and contracting activity of the City of Dallas;
- 74 (2) Define authority, accountability, and approval requirements for procurement
75 transactions;
- 76 (3) Ensure compliance with the City Charter, O.C.G.A. Title 36, Chapter 91, and
77 all other applicable state and federal laws;
- 78 (4) Promote fair and open competition to obtain best value for taxpayers; and
79 (5) Provide for proper fiscal controls, legal review, and oversight of public
80 expenditures.

81 (c) Scope. This Division applies to all City departments, officers, employees, boards,
82 commissions, authorities, and other entities involved in the expenditure of City funds,
83 regardless of funding source.

84 (d) Exemptions. This Division does not apply to:

- 85 (1) Employment contracts for City employees, which are governed by personnel
86 policies;
- 87 (2) Contracts for legal services retained by the City Attorney, which are governed
88 by Charter Section 3.15; or
- 89 (3) General obligation bonds, revenue bonds, notes, or other debt instruments
90 issued pursuant to Charter Sections 6.18 through 6.20 and applicable state law,
91 which are not procurement transactions. Financing arrangements, lease-purchase
92 agreements, installment contracts, and equipment financing agreements for the
93 acquisition of goods, services, or equipment are not exempt from this Division
94 and are governed by Section 2-221.2.

95

96 SECTION 2-219. AUTHORITY AND ADMINISTRATION.

97 (a) City Manager as Chief Procurement Officer. The City Manager shall serve as the
98 Chief Procurement Officer of the City and shall have final approval authority for all
99 purchases and contracts, subject to City Council approval as required by this Division and
100 applicable law. The City Manager's approval authority includes but is not limited to:

- 101 (1) Final determination of procurement method and solicitation type;
- 102 (2) Approval of vendor selection and award recommendations;
- 103 (3) Execution of contracts and purchase orders on behalf of the City;
- 104 (4) Resolution of vendor protests and disputes;
- 105 (5) Suspension and debarment of vendors; and
- 106 (6) Interpretation and enforcement of procurement procedures.

107 (b) Procurement Officer. The City Manager may designate a Procurement Officer,
108 typically within the Finance Department, to perform daily administrative functions
109 including solicitation preparation, bid management, vendor coordination, and
110 procurement file maintenance. Designation of a Procurement Officer does not diminish
111 the City Manager's final authority over all procurement decisions.

112 (c) No Binding Obligation Without City Manager Approval. No purchase, contract, or
113 other obligation shall be binding upon the City unless (i) approved by a Department Head
114 within the Department Head's delegated authority under Section 2-221(a) and issued by
115 purchase order through the Finance Director, or (ii) approved in writing by the City
116 Manager for purchases exceeding Department Head authority, and in either case reviewed
117 and concurred in by the City Attorney and Finance Director as required by this Division.
118 Unauthorized purchases may be declared void and shall not be honored or paid except as
119 provided in Section 2-228(b).

120 (d) Electronic File Management. The Procurement Officer shall establish and maintain an
121 electronic file management system for all procurement records, including but not limited
122 to requisitions, solicitations, quotations, bids, proposals, evaluations, contracts, purchase

123 orders, change orders, and vendor correspondence. Records shall be retained in
124 accordance with Section 2-227(a).

125

126 SECTION 2-220. LEGAL AND FINANCIAL CONCURRENCE.

127 (a) City Attorney Review Required. The City Attorney shall review and provide written
128 concurrence or comments prior to execution for:

129 (1) All written contracts regardless of dollar amount;

130 (2) All purchase orders exceeding twenty thousand dollars (\$20,000);

131 (3) Any purchase order or contract containing indemnification, hold harmless,
132 insurance, bonding, warranty, or liability provisions regardless of dollar amount;

133 (4) Any solicitation document, including Invitations for Bids, Requests for
134 Proposals, and Requests for Qualifications, when directed by the City Manager or
135 when the anticipated contract value exceeds fifty thousand dollars (\$50,000);

136 (5) Any modification, amendment, or change order to a previously-reviewed
137 contract or purchase order; and

138 (6) Any other procurement transaction at the direction of the City Manager.

139 (b) Exemption for Routine Purchase Orders. Standard purchase orders for routine goods
140 and services under twenty thousand dollars (\$20,000) using approved City forms are
141 exempt from City Attorney review provided they do not contain risk-transfer provisions
142 described in subsection (a)(3).

143 (c) Finance Director Certification Required. The Finance Director shall certify in writing,
144 prior to solicitation or award, that:

145 (1) Adequate funds are legally available and properly appropriated in the
146 identified budget account for the purchase or contract;

147 (2) The expenditure is consistent with the budget purpose and any restrictions on
148 the funding source; and

149 (3) An encumbrance has been assigned reserving the funds.

150 (d) Written Concurrence in Procurement File. Written concurrence from the City Attorney
151 and certification from the Finance Director shall be filed in the procurement record prior
152 to execution of any contract or purchase order requiring such review under this Section.

153 (e) Effect of Legal or Financial Objection. If the City Attorney or Finance Director
154 identifies legal deficiencies, fiscal irregularities, or non-compliance with applicable law
155 or policy, the City Manager shall not proceed with the procurement until the deficiencies
156 are resolved or the City Manager provides written justification overriding the objection,
157 which shall be retained in the procurement file.

158

159 SECTION 2-221. PURCHASING AUTHORITY AND THRESHOLDS.

160 (a) Department Head Authority (Up to \$10,000). Department Heads may approve
161 purchase requisitions up to ten thousand dollars (\$10,000) within their approved
162 departmental budgets. The Finance Director shall issue purchase orders for approved
163 requisitions upon verification of budget availability. The City Manager retains authority
164 to review and reverse any departmental purchase decision.

165 (b) Informal Quotations (\$10,001 to \$49,999). Purchases or contracts with an estimated
166 value from ten thousand one dollars (\$10,001) to forty-nine thousand nine hundred
167 ninety-nine dollars (\$49,999) require:

- 168 (1) At least three written or electronic quotations obtained by the Procurement
169 Officer using uniform specifications and terms; and
- 170 (2) Award by the City Manager to the lowest responsive and responsible
171 quotation, or to another quotation based on best value with written justification,
172 following Finance Director certification and City Attorney review as required by
173 Section 2-220.

174 (c) Formal Sealed Bids or Proposals (\$50,000 and Above). Purchases or contracts with an
175 estimated value of fifty thousand dollars (\$50,000) or more require:

- 176 (1) A formal sealed bid process using an Invitation for Bids, or a competitive
177 proposal process using a Request for Proposals, as determined by the City
178 Manager based on whether price alone is the determining factor;
- 179 (2) Public advertisement in accordance with applicable law;
- 180 (3) For Invitations for Bids, public opening of sealed bids at the advertised date,
181 time, and location; for Requests for Proposals, receipt of proposals by the
182 deadline stated in the solicitation documents, with public disclosure of proposal
183 scores and rankings following final award or cancellation of the solicitation,
184 consistent with Section 2-227(d) and the Georgia Open Records Act; and
- 185 (4) Award as follows:

- 186 (A) For purchases or contracts with an estimated value of fifty thousand
187 dollars (\$50,000) to ninety-nine thousand nine hundred ninety-nine
188 dollars (\$99,999), award shall be made by the City Manager following
189 written concurrence from the City Attorney and Finance Director; and
- 190 (B) For purchases or contracts with an estimated value of one hundred
191 thousand dollars (\$100,000) or more, or for any multi-year contract
192 subject to subsection (d) below, award shall require prior City Council
193 approval as provided in subsection (d) of this Section, in addition to
194 written concurrence from the City Attorney and Finance Director.

195 (d) City Council Approval Required (\$100,000 or More; Multi-Year Contracts). In
196 addition to the competitive procurement requirements of subsection (c) of this Section,
197 which apply to all purchases and contracts of fifty thousand dollars (\$50,000) or more
198 regardless of the approval authority required for award, the following purchases and
199 contracts shall require approval by the Mayor and City Council prior to award:

- 200 (1) Any purchase or contract with an annual value of one hundred thousand
201 dollars (\$100,000) or more;
- 202 (2) Any contract exceeding one fiscal year in duration, including all renewal
203 options and extensions, regardless of annual value; provided, however, that
204 contracts with an aggregate total value under twenty-five thousand dollars
205 (\$25,000) and a duration under thirty-six (36) months are excluded from this
206 multi-year requirement;

207 (3) Any other contract designated by the City Manager or City Council as
208 requiring Council approval due to policy significance, public interest, or unusual
209 risk profile; and

210 (4) Financing arrangements are subject to the provisions of Section 2-221.2 and
211 require budget adjustments as specified in the Procurement Procedures Manual.

212 (e) Professional and Construction Services. Notwithstanding the thresholds in subsections
213 (a) through (d), professional services and construction contracts are subject to additional
214 requirements as set forth in Section 2-223.

215 (f) Cooperative Purchasing Agreements. The City Manager may utilize cooperative
216 purchasing agreements as authorized in Section 2-226(c), which satisfy competitive
217 procurement requirements but remain subject to the dollar thresholds in subsection (d) of
218 this Section for Council approval.

219

220 SECTION 2-221.1. FORMAL WRITTEN CONTRACTS REQUIRED.

221 (a) Contract Requirement. Formal written contracts reviewed by the City Attorney and
222 executed by the City Manager are required for:

223 (1) All purchases of goods or services valued at fifty thousand dollars (\$50,000)
224 or more;

225 (2) All construction contracts regardless of amount;

226 (3) All professional services contracts regardless of amount;

227 (4) All contracts exceeding one fiscal year in duration regardless of amount;

228 (5) Any purchase involving performance obligations beyond simple delivery of
229 goods or provision of routine services; and

230 (6) Any purchase requiring insurance, bonding, indemnification, warranty, or
231 other risk-allocation provisions.

232 (b) Purchase Orders for Routine Purchases. Purchases not meeting the criteria in
233 subsection (a) may be executed by purchase order on forms approved by the City
234 Manager. Purchase orders for amounts exceeding twenty thousand dollars (\$20,000) shall
235 be reviewed by the City Attorney as provided in Section 2-220(a)(2).

236

237 SECTION 2-221.2. FINANCING ARRANGEMENTS AND BUDGET 238 ADJUSTMENTS.

239 (a) Authorization. The City Manager is authorized to enter into financing arrangements,
240 including but not limited to lease-purchase agreements, installment contracts, and
241 equipment financing agreements, subject to the approval thresholds and competitive
242 procurement requirements established in this Division.

243 (b) Budget Adjustment Requirement. All financing arrangements shall require
244 corresponding budget adjustments to prevent duplicate appropriations for the same
245 equipment, goods, or services. Such adjustments shall be implemented in accordance
246 with procedures established in the Procurement Procedures Manual.

247 (c) Annual Payment Budgeting. Annual payments under financing arrangements shall be
248 budgeted as operating expenses in the appropriate department budget for each fiscal year
249 in which payments are due.

250 (d) Reporting to Council. The City Manager shall report all financing arrangements and
251 associated budget adjustments to the Mayor and City Council at the next regular meeting
252 following execution of such arrangements.

253

254 SECTION 2-222. EMERGENCY PURCHASING.

255 (a) Authority. The City Manager may authorize an emergency purchase when an
256 unforeseen condition or circumstance requires immediate action to protect public health,
257 safety, welfare, or City property, and when delay occasioned by competitive procurement
258 procedures would cause serious injury to persons or property or substantial loss of
259 essential City services.

260 (b) Competition Where Practicable. In authorizing emergency purchases, the City
261 Manager shall make reasonable efforts to obtain competition and achieve fair pricing,
262 considering the exigent circumstances. Competition may include obtaining telephone or
263 electronic quotations, consulting recent procurement records, or negotiating with
264 available vendors.

265 (c) Emergency Certification. For emergency purchases exceeding twenty thousand
266 dollars (\$20,000), the City Manager shall execute a written emergency certification
267 within forty-eight (48) hours of authorization. The certification shall state:

- 268 (1) The specific facts and circumstances constituting the emergency;
- 269 (2) Why delay would result in serious injury or loss;
- 270 (3) Efforts made to obtain competition under the circumstances;
- 271 (4) The vendor selected and basis for selection;
- 272 (5) The total cost incurred or committed; and
- 273 (6) The expected duration of the emergency condition.

274 (d) Review and Reporting. Emergency certifications shall be reviewed by the Finance
275 Director and City Attorney for legal sufficiency. A report of all emergency purchases
276 exceeding twenty thousand dollars (\$20,000), including the emergency certification and
277 concurrence memoranda, shall be submitted to the Mayor and Council at their next
278 regular meeting following the purchase. Certifications found deficient after the fact shall
279 be referred to the City's audit committee or external auditor for review and
280 recommendation.

281 (e) Abuse of Emergency Authority. Emergency purchasing authority shall not be used to
282 circumvent competitive procurement requirements, to avoid City Council approval
283 thresholds, or to justify poor planning or lack of advance requisition. Repeated use of
284 emergency purchasing for similar or recurring needs may be evidence of abuse and
285 subject the responsible employee to disciplinary action.

286

287

288 SECTION 2-223. PROFESSIONAL AND CONSTRUCTION SERVICES.

289 (a) Qualifications-Based Selection for Professional Services. Professional services,
290 including but not limited to architecture, engineering, land surveying, landscape
291 architecture, construction management (when functioning as owner's representative),
292 planning, consulting, and other services requiring specialized professional licensure or
293 expertise (excluding legal services retained by the City Attorney, which are exempt under
294 Section 2-218(d)(2)), shall be procured using qualifications-based selection procedures
295 consistent with O.C.G.A. § 50-22-6 and the federal Brooks Act, 40 U.S.C. §§ 1101–1104,
296 when applicable.

297 (b) Prohibition on Price as Selection Factor. Price, fees, or cost proposals shall not be
298 requested in the initial solicitation or used as an evaluation or selection factor for
299 professional services covered by subsection (a). After ranking the most qualified firms,
300 the City Manager may negotiate scope and fee with the highest-ranked firm. If
301 negotiations fail to produce a fair and reasonable agreement, the City Manager shall
302 terminate negotiations and commence negotiations with the next-ranked firm.

303 (c) Construction Contracts—Competitive Bidding Required. Construction
304 contracts, including building construction, renovation, repair, alteration,
305 and public works projects exceeding two hundred fifty thousand dollars
306 (\$250,000), shall comply with the competitive bidding requirements of O.C.G.A.
307 Title 36, Chapter 91, as amended by HB 137 (2025). At a minimum:

308 (1) Bid advertisements shall be published at least once in a newspaper of
309 general circulation in Paulding County at least ten (10) calendar days before
310 the bid opening, as required by O.C.G.A. § 36-91-50(b). The City shall target
311 fourteen (14) calendar days as standard practice to maximize competition.

312 (2) Performance bonds and payment bonds shall be required for all construction
313 contracts exceeding two hundred fifty thousand dollars (\$250,000) as mandated
314 by O.C.G.A. §§ 36-91-70 and 36-91-90, as amended, and O.C.G.A. § 13-10-1 et
315 seq. (Little Miller Act), as amended by HB 137 (2025), in the amount of one
316 hundred percent (100%) of the contract price.

317 (3) Bids shall be sealed, publicly opened, and tabulated. Award shall be made
318 to the lowest responsive and responsible bidder unless the City Manager
319 determines rejection of all bids is in the public interest, in which case
320 written justification shall be prepared. For construction contracts requiring City
321 Council approval under Section 2-221(d), the City Manager's recommendation for
322 award shall be presented to the Mayor and City Council for approval prior to
323 contract execution.

324 (d) Construction Contracts Between \$100,000 and \$250,000. Construction
325 contracts with an estimated value between one hundred thousand dollars
326 (\$100,000) and two hundred forty-nine thousand nine hundred ninety-nine
327 dollars (\$249,999) are exempt from the formal competitive bidding requirements
328 of O.C.G.A. Title 36, Chapter 91 pursuant to HB 137 (2025), but remain subject
329 to the following requirements:

330 (1) City Council approval is required for all construction contracts exceeding

331 one hundred thousand dollars (\$100,000) per Section 2-221(d);
332 (2) Competitive procurement shall be conducted using the formal sealed bid or
333 competitive proposal procedures of Section 2-221(c), as determined by the City
334 Manager based on project complexity and scope. Informal quotations under
335 Section 2-221(b) are not available for construction contracts exceeding forty-nine
336 thousand nine hundred ninety-nine dollars (\$49,999);
337 (3) Performance and payment bonds are optional but may be required by the City
338 Manager when warranted by contractor experience, project risk, substantial
339 subcontractor participation, or other relevant factors. The determination to
340 require bonds shall be documented in the procurement file with written
341 justification;
342 (4) All other provisions of this Division apply, including legal and finance
343 review requirements, formal written contract requirements, and ethical
344 standards.

345 (e) Federal Requirements. When federal funds are used for professional
346 services or construction, additional federal procurement requirements shall
347 apply as set forth in Section 2-224.

348 (f) Design-Build and Construction Manager at Risk. Alternative project
349 delivery methods such as design-build or construction manager at risk may be
350 used when authorized by state law and when the City Manager determines such
351 methods serve the public interest. Procurement procedures for alternative
352 delivery methods shall comply with applicable state statutes and shall be
353 established in the Procurement Procedures Manual.

354
355 SECTION 2-224. FEDERAL AND GRANT-FUNDED PROCUREMENT.

356 (a) Applicability. When any portion of a procurement is funded by federal grants,
357 cooperative agreements, reimbursement programs, or other federal financial assistance,
358 the procurement shall comply with all applicable federal statutes, regulations, and
359 funding conditions in addition to the requirements of this Division and state law.

360 (b) Identification and Incorporation of Requirements. Upon determination that federal
361 funds are involved, the department initiating the procurement shall immediately notify
362 the City Attorney and Finance Director. The City Attorney shall identify applicable
363 federal requirements, which may include but are not limited to:

- 364 (1) Uniform Administrative Requirements, Cost Principles, and Audit
365 Requirements for Federal Awards (2 C.F.R. Part 200);
- 366 (2) Davis-Bacon prevailing wage requirements for construction (40 U.S.C. § 3141
367 et seq.);
- 368 (3) Buy America or Buy American preferences;
- 369 (4) Disadvantaged Business Enterprise (DBE) or other small business
370 participation goals;
- 371 (5) Federal suspension and debarment verification (2 C.F.R. Part 180);
- 372 (6) Procurement method restrictions specific to the funding program;

- 373 (7) Cost or price analysis requirements; and
- 374 (8) Federal funding agency-specific terms and conditions.

375 (c) Solicitation Documents. The Procurement Officer shall incorporate all applicable
376 federal requirements into solicitation documents, including required certifications,
377 representations, compliance obligations, contract clauses, and flow-down provisions to
378 subcontractors.

379 (d) Conflict Resolution. In the event of a conflict between City procedures and federal
380 requirements, federal requirements shall control to the extent necessary to maintain
381 eligibility for federal funding. The City Attorney shall document any such conflict and
382 the resolution in the procurement file.

383 (e) Federal Highway Administration Projects. Procurement of engineering and design-
384 related services for projects funded by the Federal Highway Administration (FHWA)
385 under Title 23, United States Code, shall comply with the qualifications-based selection
386 requirements of 23 U.S.C. § 112(b)(2) and 23 C.F.R. Part 172, in addition to the Brooks
387 Act provisions of subsection 2-223(a). Detailed procedures for FHWA-funded
388 procurements shall be set forth in the Procurement Procedures Manual or in project-
389 specific procurement compliance guidance issued by the City Attorney in consultation
390 with the City Manager.

391

392 SECTION 2-225. ETHICS AND CONFLICTS OF INTEREST.

393 (a) Prohibition on Financial Interest. No City officer, elected official, or employee who
394 participates in or has responsibility for any aspect of a procurement transaction shall have
395 a direct or indirect financial interest in any vendor, contractor, or consultant seeking to
396 contract with the City. For purposes of this subsection, participation includes but is not
397 limited to specification preparation, requisition approval, vendor selection, evaluation,
398 contract negotiation, contract administration, or payment authorization.

399 (b) Prohibition on Gratuities. No City officer, elected official, or employee involved in
400 procurement shall solicit or accept, directly or indirectly, any gift, gratuity, favor,
401 entertainment, loan, or other thing of value from any vendor, contractor, consultant, or
402 other person seeking to do business with the City, except as may be permitted by the
403 City's ethics ordinance or state law for items of de minimis value.

404 (c) Vendor Conflict Disclosure. All vendors submitting bids, proposals, or quotations to
405 the City shall file a written conflict-of-interest disclosure statement, disclosing any
406 business or financial relationship between the vendor, its principals, or its subcontractors
407 and any City official or employee. The disclosure shall be required by solicitation
408 documents consistent with O.C.G.A. § 36-35-3(a), and, for public works solicitations,
409 O.C.G.A. § 36-91-21(b)(4) and O.C.G.A. § 36-91-21(c)(1)(A) and (C). The disclosure
410 shall be filed with the bid or proposal and updated promptly if circumstances change
411 during contract performance. Failure to disclose a known conflict shall constitute grounds
412 for bid or proposal disqualification and may result in contract termination and debarment.

413 (d) Violations and Penalties. Violations of this Section by City personnel may result in
414 disciplinary action up to and including termination of employment. Violations by vendors

415 may result in disqualification of the bid or proposal, contract termination, and debarment
416 from City contracts for a period of up to three (3) years. Nothing in this Section limits
417 criminal prosecution under O.C.G.A. § 16-10-2 or other applicable law.

418

419 SECTION 2-226. SURPLUS PROPERTY AND COOPERATIVE PURCHASING.

420 (a) Surplus Property Designation. The City Manager, with concurrence from the Finance
421 Director, may declare City-owned personal property surplus when it is obsolete, no
422 longer needed for City operations, uneconomical to maintain, or otherwise appropriate
423 for disposal. Real property may only be declared surplus and disposed of in accordance
424 with the procedures established in the City Charter and applicable state law.

425 (b) Disposal Methods. Surplus personal property may be sold, traded, donated to
426 governmental or nonprofit entities, or disposed of by any lawful means authorized by
427 O.C.G.A. § 36-37-6. Surplus items with an estimated fair market value exceeding five
428 hundred dollars (\$500) shall be sold by sealed bid, public auction, or online auction
429 following public notice of at least ten (10) calendar days.

430 (c) Cooperative Purchasing Authority. The City may participate in state, regional, or
431 national cooperative purchasing programs authorized by O.C.G.A. §§ 50-5-100 through
432 50-5-103, O.C.G.A. § 50-5-51(9), and O.C.G.A. § 36-34-2. The City Manager may
433 execute cooperative purchasing agreements and intergovernmental agreements for joint
434 procurement, provided the City's maximum annual financial commitment under the
435 agreement does not exceed one hundred thousand dollars (\$100,000). Cooperative
436 agreements exceeding this threshold require City Council approval by resolution.
437 Cooperative purchasing agreements with a duration exceeding one fiscal year are subject
438 to the multi-year contract approval requirements of Section 2-221(d)(2) regardless of the
439 annual commitment amount.

440 (d) Effect of Cooperative Purchasing. Individual purchases made through an approved
441 cooperative purchasing agreement or state contract satisfy the competitive procurement
442 requirements of this Division, but remain subject to the dollar thresholds in Section 2-
443 221(d) for City Council approval. Purchases through cooperative agreements shall
444 comply with the legal review, financial certification, and contract execution requirements
445 of this Division.

446 (e) Compliance with Cooperative Program Requirements. When utilizing cooperative
447 purchasing agreements, state contracts, or federal procurement programs (including but
448 not limited to the Georgia 1122 Program, Georgia State Contracts, GSA Federal Supply
449 Schedules, or other authorized cooperative purchasing programs), the City shall strictly
450 comply with all eligibility requirements, terms and conditions, purchasing procedures,
451 and restrictions imposed by the administering agency or sponsoring entity. The
452 Procurement Officer shall verify the City's eligibility, obtain any required registrations or
453 authorizations, and ensure that goods or services sought are within the scope of the
454 applicable cooperative agreement or state contract. Documentation of compliance with
455 cooperative program requirements shall be maintained in the procurement file. Individual

456 purchases through cooperative agreements remain subject to the City Manager approval
457 and City Council thresholds established in Section 2-221(d).

458

459 SECTION 2-227. RECORDKEEPING, REPORTING, AND OVERSIGHT.

460 (a) Records Retention. Procurement records, including but not limited to requisitions,
461 solicitations, quotations, bids, proposals, evaluations, tabulations, contracts, purchase
462 orders, change orders, payment records, and correspondence, shall be retained in
463 accordance with the Records Retention Schedule for Georgia Local Governments
464 published by the Georgia Archives, but in no event less than five (5) years from the date
465 of final payment or contract completion, whichever occurs later.

466 Extended retention periods apply as follows:

467 (1) Construction contracts: Seven (7) years from final payment;

468 (2) Federal or grant-funded contracts: Three (3) years after submission of the final
469 federal financial report or as specified in the grant agreement, whichever is
470 longer, or as otherwise required by 2 C.F.R. § 200.334; and

471 (3) Contracts involving ongoing warranty, maintenance obligations, or potential
472 liability exposure: Until all obligations and exposures terminate, plus five (5)
473 years.

474 (b) Annual Procurement Report. The City Manager shall provide an annual procurement
475 summary report to the Mayor and Council no later than ninety (90) days after the close of
476 each fiscal year. The report shall include:

477 (1) Total number of contracts and purchase orders executed during the fiscal year;

478 (2) Total dollar value of contracts and purchase orders by category (construction,
479 professional services, goods, other services);

480 (3) Number and type of procurements by method (quotations, sealed bids,
481 proposals, sole source, emergency);

482 (4) Average procurement processing times;

483 (5) Summary of emergency purchases;

484 (6) Summary of vendor protests and resolutions;

485 (7) Identification of any significant compliance issues or recommendations for
486 process improvement.

487 (c) Audit Review. The City's annual independent financial audit conducted pursuant to
488 Charter Section 6.25 shall include a review of procurement compliance, including testing
489 of competitive procurement procedures, approval requirements, contract execution, and
490 adherence to applicable laws and policies. Audit findings related to procurement shall be
491 reported to the City Council with management's response and corrective action plan.

492 (d) Public Access to Records. Public access to procurement records shall be governed by
493 the Georgia Open Records Act, O.C.G.A. § 50-18-70 et seq. During active solicitation
494 periods (from issuance of solicitation documents until final award or cancellation), the
495 City may withhold disclosure of unopened bids or proposals, evaluation materials,
496 internal deliberations, vendor scoring or ranking, and pre-decisional memoranda to
497 protect the integrity of the competitive process and prevent disclosure of confidential

498 vendor information. After award or cancellation, all procurement records are subject to
499 Open Records Act disclosure except as exempted by state law.

500

501 SECTION 2-228. ENFORCEMENT AND PENALTIES.

502 (a) Employee Violations. Any City employee who authorizes, approves, executes, or
503 incurs a financial obligation on behalf of the City contrary to the requirements of this
504 Division or the Procurement Procedures Manual shall be subject to disciplinary action up
505 to and including termination of employment. Supervisors and department heads are
506 responsible for ensuring subordinates comply with this Division.

507 (b) Unauthorized Purchases. Purchases or contracts made in violation of this Division are
508 not binding on the City and may be declared void by the City Manager. Unauthorized
509 purchases shall not be honored or paid by the City except as follows:

510 (1) If goods have been received or services rendered, the City Manager may, with
511 written justification, ratify the purchase to avoid unjust enrichment or to mitigate
512 damages to the City; or

513 (2) If ratification is denied, the employee responsible for the unauthorized
514 purchase may be held personally liable for the cost.

515 (c) Vendor Violations. Vendors that violate City or state procurement laws, regulations, or
516 contract terms may be subject to:

517 (1) Disqualification of bids or proposals;

518 (2) Termination of existing contracts for default;

519 (3) Withholding of payment for non-compliant performance;

520 (4) Debarment or suspension from City contracts for a period of up to three (3)
521 years; and

522 (5) Pursuit of any other legal or equitable remedies available to the City, including
523 but not limited to monetary damages, specific performance, or injunctive relief.

524 (d) Referral for Investigation. When violations of this Division involve potential fraud,
525 theft, embezzlement, misappropriation of public funds, or other criminal conduct, the
526 City Manager shall refer the matter to the appropriate law enforcement agency for
527 investigation and shall notify the Mayor, City Council, and City Attorney.

528

529 SECTION 2-229. PROCUREMENT PROCEDURES MANUAL.

530 (a) Adoption and Maintenance. The City Manager shall adopt and maintain a
531 Procurement Procedures Manual establishing detailed administrative procedures,
532 timelines, forms, documentation requirements, and operational standards governing all
533 procurement activity of the City. The Manual shall be consistent with this Division, the
534 City Charter, and applicable state and federal law.

535 (b) Content. The Procurement Procedures Manual shall address, at minimum:

536 (1) Requisition submission and review processes;

537 (2) Budget verification and encumbrance procedures;

538 (3) Vendor solicitation methods for quotations, sealed bids, and competitive
539 proposals;

- 540 (4) Evaluation criteria, scoring methods, and committee procedures;
- 541 (5) Responsiveness and responsibility standards for vendor qualification;
- 542 (6) Contract negotiation and execution procedures;
- 543 (7) Insurance, bonding, and surety requirements;
- 544 (8) Change order and contract amendment procedures and approval limits;
- 545 (9) Single-source and sole-source justification requirements;
- 546 (10) Vendor performance monitoring and documentation;
- 547 (11) Suspension, debarment, and protest procedures;
- 548 (12) Federal procurement compliance procedures when applicable;
- 549 (13) Forms, templates, and checklists for procurement activities; and
- 550 (14) Any other procedures necessary for efficient, compliant, and transparent
- 551 procurement operations.

552 (c) Administrative Amendment Authority. The City Manager may amend the Procurement
553 Procedures Manual administratively without City Council action. Amendments shall be
554 dated, assigned a version number, and published on the City's website. Material changes
555 shall be communicated to department heads and procurement staff.

556 (d) Public Availability. The current Procurement Procedures Manual, including all
557 amendments, shall be maintained on the City's official website and provided to all
558 department heads. Copies shall be made available to vendors and members of the public
559 upon request.

560 (e) Binding Effect. The Procurement Procedures Manual constitutes official City policy
561 with full regulatory effect. Compliance with the Manual is mandatory for all City
562 personnel involved in procurement activities unless the City Manager grants a specific
563 written waiver documented in the procurement file.

564
565 SECTION 2-230. REPEAL OF CONFLICTING ORDINANCES; EFFECT ON
566 EXISTING CONTRACTS.

567 (a) Repeal. Division 6 of Article IV, Chapter 2 of the Code of Ordinances of the City of
568 Dallas, previously titled "Purchasing Department," and all ordinances, resolutions,
569 policies, or parts thereof in conflict with this Division are hereby repealed to the extent of
570 such conflict.

571 (b) Existing Contracts Unaffected. Contracts, purchase orders, and other procurement
572 instruments lawfully executed prior to the effective date of this ordinance shall remain in
573 full force and effect according to their terms. Amendments, modifications, and renewals
574 of such pre-existing contracts shall comply with this Division.

575 (c) Pending Procurements. Procurements in progress on the effective date of this
576 ordinance may be completed under the procedures in effect at the time of solicitation
577 issuance, or may be transitioned to the procedures established by this Division at the
578 discretion of the City Manager.

579
580 SECTION 2-231. SEVERABILITY.

581 If any section, subsection, sentence, clause, phrase, or portion of this ordinance is
582 declared invalid or unconstitutional by a court of competent jurisdiction, such declaration
583 shall not affect the validity of the remaining portions of this ordinance, which shall
584 remain in full force and effect. The City Council declares that it would have adopted this
585 ordinance and each section, subsection, sentence, clause, phrase, and portion thereof,
586 irrespective of the fact that any one or more sections, subsections, sentences, clauses,
587 phrases, or portions be declared invalid or unconstitutional.

588

589 SECTION 2-232 – 2-261. – Reserved

590

591 **SECTION III. CODIFICATION AND EFFECTIVE DATE**

592 The City Clerk is directed to cause this ordinance to be codified in the Code of
593 Ordinances of the City of Dallas, Georgia. This ordinance shall become effective July 1,
594 2026 upon its adoption by the Mayor and Council.

595

596

First read _____

Second and Adoption _____

**SO SHALL IT BE ORDAINED BY THE MAYOR AND COUNCIL OF THE
CITY OF DALLAS, GEORGIA, THIS THE ____ DAY OF _____,
2026.**

L. James Kelly, Mayor

James R. Henson, Councilmember

Cooper Cochran, Councilmember

Nancy R. Arnold, Councilmember

Christopher B. Carter, Councilmember

Leah Alls, Councilmember

Candace Callaway, Councilmember

ATTEST:

Tina Clark, City Clerk
City of Dallas, Georgia

Date

APPROVED AS TO FORM:

Darrin Keaton
City Attorney