

STATE OF GEORGIA
CITY OF FOREST PARK
COUNTY OF CLAYTON

ORDINANCE 2024-___

AN ORDINANCE BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FOREST PARK, GEORGIA TO AMEND TITLE 3 (FINANCE) CHAPTER 1 (PROCUREMENT) IN THE CITY'S CODE OF ORDINANCES AND TO ADOPT A NEW COMPREHENSIVE PURCHASING POLICY MANUAL; TO PROVIDE AN ADOPTION DATE; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER LAWFUL PURPOSES.

WHEREAS, the duly elected governing authority of the City of Forest Park, Georgia (the "City") is the Mayor and City Council thereof; and

WHEREAS, section 36-35-3 of the Official Code of Georgia Annotated (O.C.G.A.) provides cities the power to adopt clearly reasonable ordinances, resolutions or regulations relating to the cities' property and affairs; and

WHEREAS, the City Council finds it necessary to adopt a new comprehensive purchasing policy and amend related ordinances to reflect the new policies.

Section One. The text codified in Title 3 (Finance), Chapter 16 (Procurement) in the Code of Ordinances of the City of Forest Park, Georgia is hereby amended to be read and codified as set forth in **Exhibit A** attached hereto and incorporated herein.

Section Two. The Purchasing Policy Manual as set forth in **Exhibit B** attached hereto and incorporated herein is hereby adopted and shall take effect on December 1, 2024.

Section Three. The preamble of this Ordinance shall be considered to be and is hereby incorporated by reference as if fully set out herein.

Section Four. (a) It is hereby declared to be the intention of the Mayor and Council that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are or were, upon their enactment, believed by the Mayor and Council to be fully valid, enforceable and constitutional.

(b) It is hereby declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is severable from every other section, paragraph, sentence, clause or phrase of this Ordinance. It is hereby further declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this Ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Ordinance.

(c) In the event that any phrase, clause, sentence, paragraph or section of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the Mayor and Council that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or sections of the Ordinance and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

Section Five. All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed.

Section Six. This Ordinance shall be codified in a manner consistent with the laws of the State of Georgia and the City.

Section Seven. The effective date of this Ordinance shall be the date of adoption unless otherwise stated herein.

Section Eight. The City Clerk, with the concurrence of the City Attorney, authorized to correct any scrivener's errors found in this Ordinance, including any exhibits, as enacted.

ORDAINED this 21st day of October, 2024.

CITY OF FOREST PARK, GEORGIA

Angelyne Butler, Mayor

ATTEST:

_____ (SEAL)
Randi Rainey, City Clerk

APPROVED AS TO FORM:

City Attorney

EXHIBIT A

CHAPTER 1. PROCUREMENT

Sec. 3-1-1. Scope.

This chapter shall govern all acquisitions and dispositions by the City of Forest Park of commodities, equipment and services and all related contracts and agreements including those that may generate revenue.

Sec. 3-1-2. Application of federal and state law.

It is intended that this chapter shall conform to all applicable provisions of the laws of the United States and of the State of Georgia, and the provisions hereof shall be so construed wherever possible. In the event any portion of this chapter shall be declared invalid for its failure to conform to state or federal law, such invalidity shall not affect the remaining portions hereof. Notwithstanding any other provision of this chapter, the city may enter into any contract, follow any procedure, or take any action that is otherwise at variance with this chapter if necessary or convenient to receiving funds from the government of the United States or the State of Georgia.

Sec. 3-1-3. Public access to procurement information.

Interested persons shall have access to information regarding procurement transactions of the City of Forest Park in accordance with city policy and the Georgia Open Records Act, O.C.G.A. § 50-18-70 et seq.

Sec. 3-1-4. Purchasing Policy Manual.

The procurements of the City shall be governed by a purchasing policy manual (“Manual”) as adopted from time to time by the City Council via ordinance. The Procurement Manager shall maintain a copy of the current Manual, which shall be made available to the public upon request in accordance with Sec. 3-1-4. All amendments to the Manual shall be approved by the City Council, with the exception of non-substantive changes and revisions to purchasing procedures, which are subject to the discretion of the Procurement Manager.

EXHIBIT B

Purchasing Policy Manual

[ATTACHED]

