
Sec. 2-193. Regulations governing the purchasing and sales criteria of the city manager and department heads.

The following regulations regarding the purchasing of goods and services are hereby established:

- (1) Items with a cost of less than \$5,000.00 may be purchased by telephone call or other contact between the city manager, department head, or his/her designee and supplier, based on the buyer's experience and knowledge.
- (2) Items with a cost from \$5,000.00 to \$30,000.00 will be purchased by the city manager, department head, or his/her designee requesting quotations via a formal sales quote or similar proposal from the supplier. After quotations are received, purchase orders will be issued to the vendor who has quoted the most acceptable products or services at the lowest cost.
- (3) Items with a cost in excess of \$30,000.00 shall be competitively bid as required by section 2-182 of this article, except under the following circumstances:
 - a. When such proposed expenditure may be consummated through use of state, county, district or other municipal contract lists, such as piggybacking or cooperative purchase agreements, the competitive process shall be waived. To comply with this exception, the contract upon which the city seeks to piggyback must contain language which authorizes subsequent parties to piggyback on it and must be for the same prices and material conditions as are contained in the original contract. Any cooperative purchasing agreement relied upon to support a purchase without competition must provide that the city is a party to the agreement, and demonstrate that the lead agency engaged in a competitive solicitation on behalf of the agreement's parties.
 - b. Where the commodities or contractual services are available only from a single source. When the city believes that desired commodities or contractual services are available only from a single source, the city manager or designee shall electronically post a description of the commodities or contractual services sought for a period of at least five business days. The description must include a request that prospective vendors provide information regarding their ability to supply the commodities or contractual services described. Posting shall not be required for desired commodities or contractual services below \$5,000.00. If it is determined in writing by the city manager or designee, after reviewing all relevant information including information received from prospective vendors as a result of a required posting, that the commodities or contractual services are in fact available only from a single source, the city is authorized to enter a sole source purchase contract. In any case where the city seeks to purchase materials for the construction, modification, alteration, or repair of any city-owned facility from a sole source, the board of commissioners must first make the written findings required by Florida Statutes § 255.04.
 - c. Reserved.
 - d. Emergency purchases, which shall be awarded as provided in subsection (9).
 - e. Purchases of used equipment, including equipment acquired at a lawfully-conducted public auction.
 - f. Insurance policies, utilities, and real property.
 - g. Procurements where the city attorney confirms that the use of a different vendor would void an existing warranty the city desires to maintain.
 - h. Purchases made pursuant to a state or federal grant contract where the terms of the contract require the city to use a procurement method inconsistent with this Code.

-
- (4) The city manager will secure the board of commissioners approval for the purchases which have not previously been approved by the commission or when such purchases exceed \$30,000.00.
 - (5) The board of commissioners, upon recommendation of the city manager, may waive the above procedures by four-fifths vote whenever the strict imposition of these procedures would not be in the best interests of the city. Such waiver shall be by motion and shall occur at a public meeting. All rental of city-owned property, whether personal or real property, shall be by motion of the board of commissioners and shall be done at a public meeting.
 - (6) All contracts for construction of any project by the city shall be in accordance with the procedures set forth above for the purchase of other property, unless other procedures are required by state statute.
 - (7) The city may either participate in, sponsor, conduct or administer a cooperative purchasing program involving the combining of requirements of two or more public entities to obtain the advantages of volume purchases, a reduction in expenses, or other public benefits. Such cooperative purchasing may include, but is not limited to, joint or multiparty contracts between the public entities and open-ended state or county contracts which are available to political subdivisions. This cooperative purchasing subsection shall be independent of and in lieu of subsections (1) and (2).
 - (8) The city manager, as purchasing agent of the city, may designate a representative of the city who shall be authorized to issue purchase orders for approved expenditures on his/her behalf.
 - (9) When a state of emergency is declared in Pinellas County in the event of, or in anticipation of, a natural or manmade disaster including, but not limited to, a hurricane, tornado, flood, fire, riot or other act of God, or an act of domestic terrorism, the city manager shall have the authority to suspend all normal purchasing policies and to waive the procedures and formalities otherwise required by law or ordinance pertaining to:
 - a. Performance of public work and taking whatever prudent action is necessary to ensure the health, safety and welfare of the community;
 - b. Entering into contracts;
 - c. Incurring obligations;
 - d. Employment of permanent and temporary workers;
 - e. Utilization of volunteer workers;
 - f. Rental of equipment;
 - g. Acquisition and distribution, with or without compensation, of supplies, materials and facilities;
 - h. Appropriation and expenditure of public funds.

(Ord. No. 1022, § 1, 6-8-04; Ord. No. 1054, § 2, 9-14-05; Ord. No. 1121, § 1, 10-23-07; Ord. No. 2021-03 , § 11, 4-14-21; Ord. No. 2023-08 , § 11, 2-8-23; Ord. No. 2023-17 , §§ 2, 3, 6-14-23)

Editor's note(s)—Ord. No. 2021-03 , § 11, adopted April 14, 2021, amended the title of § 2-193 to read as herein set out. The former § 2-193 title pertained to regulations governing the purchasing and sales criteria of the city manager.