
Sec. 2-55. Functions of the departments.

- (a) Departments should plan their work so that "rush orders" and emergencies will be held to a minimum. Requests should be forwarded to the purchasing department far enough in advance to allow sufficient time for delivery.
- (b) Departments should assist the purchasing department by suggesting the names of vendors that have access to particular items being requested, especially items of a technical nature. However, the purchasing department is in no way confined to the vendors suggested. The purchasing department maintains a list of vendors and any responsible firm may be added to that list upon application by telephone or mail.
- (c) The city is not obligated to purchase equipment or accessories that are delivered for use on a "trial" basis.
- (d) ~~No department has the authority to order directly from a vendor or negotiate purchases in excess of five hundred dollars (\$500.00).~~ Department Heads may be provided purchasing cards, but individual departments or employees cannot independently and directly buy goods or services over \$500 without authority from the purchasing officer, city manager, finance department, or council, depending on the purchase, as set forth in this Article.
- (e) No city employee shall purchase supplies, material or equipment of any kind for personal use.
- (f) Department heads will be called upon to assist in writing specifications for bids. Specifications should not be written which are considered "closed" (written around one (1) specific brand). Brand names, model numbers, etc., may be submitted as a guideline as to the type and quality of merchandise desired. However, the wording "or approved equal" will always be added so as not to discriminate against any vendor's merchandise. Competition must be kept in mind throughout the writing of specifications.

Sec. 2-56. Purchasing procedures.

- (a) ~~Based on dollar amount~~ Budgeted Items. The purchasing procedures to be followed by the ~~City~~ city based on the dollar amount of the budgeted purchase are as follows, unless under state contract (note: these procedures apply on a per item basis); state contract bidding should be used if available.
 - (1) ~~Up to five hundred dollars (\$500.00) two thousand dollars (\$2,000.00) and line item budgeted~~—direct purchase by the purchasing agent.
 - (2) ~~Two thousand dollars (\$2,000.00) up to five thousand dollars (\$5,000.00) Five hundred dollars (\$500.00) up to two thousand dollars (\$2,000) and line item budgeted~~—minimum of three (3) email or fax quotations to be evaluated by the appropriate department head and approved by the city manager. Results of quotations and award to be recorded and filed.
 - (3) ~~Two thousand dollars (\$2,000.00) up to three thousand five hundred dollars (\$3,500.00) Five thousand dollars (\$5,000.00) up to twenty thousand dollars (\$20,000.00) and line item budgeted~~—minimum of three (3) formal, written quotations and submitted to the city manager. ~~Results of q~~ Quotations and award to be recorded and filed with the city Clerk.
 - (4) ~~Three thousand five hundred dollars (\$3,500.00) up to ten thousand dollars (\$10,000.00) Twenty thousand dollars (\$20,000.00) up to fifty thousand dollars (\$50,000.00) and budgeted~~—minimum of three (3) formal, written quotations. Purchasing agent and city manager make recommendation to city council ~~and they who~~ awards the bid purchase. Results of written q Quotations and award to be recorded and filed with the city Clerk.
 - (5) ~~Above ten~~ Fifty thousand dollars (\$50,000.00) and above and budgeted—requires advertised solicitation of ~~advertised~~ formal, sealed bids. Purchasing agent and city manager make

In all cases where there is immediate need for any services, materials, supplies, goods, wares or merchandise by any department, such department must advise the city manager, and if he cannot be located, the officer or employee must immediately notify the mayor or ~~mayor pro tem~~chairman of the finance committee or chairman of the committee having jurisdiction over that subject matter for action pursuant to section 2-54. Approval of an emergency purchase may be made only by the mayor or mayor pro tem. In the event none of the above can be reached and an emergency purchase of the item is absolutely necessary, such purchase must be reported to the city manager within twenty four (24) hours of such purchase.

Sec. 2-62. Sole/Single Source.

A contract may be awarded or a purchase made without competition when the city determines that there is only one source for the required products, services, or items. The city manager, in consultation with the city Attorney may determine that there exists only a sole vendor or single source for the product, service, or item. The determination will be limited to a specific time frame and/or project and will be effective for no more than three (3) fiscal years (initial year is the fiscal year of approval; expiration occurs at the end of the third fiscal year). The city Manager will maintain a listing of sole source and single source vendors to be filed and recorded with the city Clerk. Once a vendor has been deemed sole source or single source, the city may procure goods or services from this vendor without the need for quotes or bids.

Sec. 2-63. Cooperative Purchasing.

The city manager may acquire goods, services, and professional services by direct negotiation or other method involving limited or no competition from a supplier having a requirements contract/annual agreement with any public entity (e.g. federal, state, county, city, authority, school board, buying cooperative, etc.) at prices or discounts no less favorable than any set forth in such contracts, provided however, that such contract was the product of a competitive bid process if such process is required under this Article for the type of purchase being made. The city manager may participate in, sponsor, conduct or administer a cooperative purchasing agreement for procurement (e.g. Omnia Partners, Sourcewell, NASPO, SAVVIK, etc.) including "piggybacking" on governmental (e.g. local, state, national, etc.) and authority (GDOT, transportation, utility and or development authorities, etc.) contracts; provided however, that such agreement was the product of a competitive bid process if such process is required under this Article for the type of purchase being made. Prior to the city making a purchase through "piggybacking" or cooperative purchasing, the city manager must verify that the original contract states that it is subject to cooperative purchasing and/or intergovernmental agreements or obtain written consent from the vendor and the original public agency for the cooperative purchasing/"piggybacking" by the city. Cooperative purchasing agreements assist local governments in reducing the cost of purchased goods and services through pooling the purchasing power of multiple public agencies. Due to the nature of cooperative purchasing agreements, competition has been established so additional quotes, bids, or proposals are not required. However, approval requirements as set forth in this Article are still in effect.

Sec. 2-64. Ethical Considerations and Conflict of Interest

Each person involved in the purchasing process must adhere to the highest standard of ethics and avoid any appearance that their actions are motivated by private or personal interest. Actions such as the acceptance of gratuities or kickbacks are expressly prohibited. Unethical actions by employees or vendors will not be tolerated.

The following principles are to be maintained:

Consider the best interest of the city in all transactions;

Purchase without prejudice, and follow defined processes and procedures seeking to obtain the best value for each dollar expenditure in accordance with required quality standards;

Subscribe to and demonstrate honesty and truth in purchasing and avoid all forms of conflict of interest, as well as the appearance of such conflicts of interest;

Avoid all unethical practices and appearance of the same, including the improper or unlawful attempt to influence the outcome of the purchasing process; and

Strive consistently for knowledge of materials and supplies required for use by the city.

Employees will avoid activities which would compromise or give the perception of compromising the best interests of the city. Employees will not knowingly use confidential proprietary information for actual or anticipated personal gain.

Employees will avoid any activity that would create a conflict between their personal interest and the interest of the city. Conflicts exist in any relationship where a person is not acting in the city's best interest and may be acting in their own interest or the interest of someone associated with them. Such conflicts of interest would include being involved in any purchasing in which:

The employee or any member of the employee's family has a financial interest pertaining to the city purchasing process;

A business or organization in which the employee, or any member of the employee's family, has a financial interest pertaining to the city purchasing process, or

Any other person, business, or organization with whom the employees or a member of the employee's family is negotiating or has an arrangement concerning prospective employment.

If such conflicts of interest exist, the employee will notify the city manager in writing and will remove him/herself from the purchasing process.

Employees will avoid the appearance of unethical or compromising practices in relationship, actions, and communications regarding the purchasing process.

Employees will never solicit or accept money, loans, gifts, favors, or anything of value, from present or potential contractors which might influence or appear to influence a purchasing decision by a government official. If anyone is in doubt about whether a specific transaction complies with this policy, the person should disclose the transaction to the city manager or the city attorney for a determination of compliance.

Any city employee found in violation of this Article will face disciplinary action pursuant to established policy/procedures.