Passed: 8-0
Cole absent

ORDINANCE 98-23

TO NAME PURCHASING AGENCIES AND AGENTS AND TO ADOPT RULES REGARDING PUBLIC PURCHASES

WHEREAS, Indiana Code 5-22 (the "Act") applies to every expenditure of public funds by a governmental body; and

WHEREAS, the City of Bloomington, Indiana, is a governmental body under the Act; and

WHEREAS, the Act authorizes the City of Bloomington to identify purchasing agencies and purchasing agents and to establish certain purchasing rules;

NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, MONROE COUNTY, INDIANA THAT:

SECTION 1. The following entities shall be considered Purchasing Agencies for the City of Bloomington:

Board of Public Works
Board of Park Commissioners
Bloomington Redevelopment Commission
Board of Public Safety
Plan Commission

SECTION 2. Each of these Purchasing Agencies shall possess the powers and duties authorized under I.C. 5-22, as may be supplemented from time to time by ordinances adopted by the Council and policies adopted by the Purchasing Agency.

SECTION 3. Each of these Purchasing Agencies may designate in writing one or more employees of the City of Bloomington as Purchasing Agents.

SECTION 4. An authorized Purchasing Agent may make a purchase of less than $25,000.00 under small purchase policies established by the Purchasing Agency.

SECTION 5. An authorized Purchasing Agent may make a purchase of at least $25,000.00 but less than $75,000.00 by inviting quotes pursuant to the procedures set out in I.C. 5-22.

SECTION 6. An authorized Purchasing Agent may award a contract through a request for proposals procedure as set out in I.C. 5-22 when the Purchasing Agent makes a written determination that the use of competitive sealed bidding is either not practicable or not advantageous to the City of Bloomington.

SECTION 7. An authorized Purchasing Agent may make a purchase without bids or proposals if the purchasing agent uses the special purchasing methods set out in I.C. 5-22.

SECTION 8. An authorized Purchasing Agency may purchase services using any procedure the Purchasing Agency considers appropriate, and may establish policies regarding the purchase of services.

SECTION 9. A Purchasing Agency may adopt policies consistent with the provisions of I.C. 5-22 regarding changes in bids and contracts due to inadvertent mistakes.

SECTION 10. A Purchasing Agency may adopt policies consistent with the provisions of I.C. 5-22 regarding the protection and maintenance of bid information.

SECTION 11. An authorized Purchasing Agent shall specify and purchase supplies manufactured in the United States for all City of Bloomington purchases unless the Purchasing Agent determines that the supplies are not manufactured in the United States in reasonably available quantities, the price of the supplies manufactured in the United States exceeds by an unreasonable amount the price of available supplies manufactured elsewhere, the quality of the supplies manufactured in the United States is substantially less that the quality of comparably

priced available supplies manufactured elsewhere, or the purchase of supplies manufactured in the United States is not in the public interest.

SECTION 12. A Purchasing Agency shall purchase recycled paper products if an authorized Purchasing Agent determines that all of the following apply: 1) recycled paper products are available at the time of a purchase; 2) it is economically feasible to purchase recycled paper products; and 3) the purchase of recycled paper products is not inappropriate because of special requirements or uses for the paper products.

SECTION 13. This ordinance shall be in full force and effect from and after its passage by the Common Council and approval by the Mayor.

SECTION 14. Severability. If any section, sentence, or provision of this ordinance, or the application thereof to any person or circumstances shall be declared invalid, such invalidity shall not affect any of the other sections, sentences, provisions, or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this section are declared to be severable.

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this 1st day of July, 1998.

TIMOTHY MAYER, President
Bloomington Common Council

ATTEST:

Patricia Williams
PATRICIA WILLIAMS, Clerk
City of Bloomington

PRESENTED by me to Mayor of the City of Bloomington, Monroe County, Indiana, upon this

2nd day of July, 1998.

Patricia Williams
PATRICIA WILLIAMS, Clerk
City of Bloomington

SIGNED AND APPROVED by me upon this 2 day of July, 1998.

JOHN FERNANDEZ, Mayor
City of Bloomington

SYNOPSIS

This ordinance designates as Purchasing Agencies the boards and commissions of the civil city that approve claims, authorizes Purchasing Agencies to designate Purchasing Agents and establish small purchase and other purchasing procedures, and adopts other provisions of Indiana Code 5-22, the state purchasing statute.

Signed copies to:
Controller - 3
Dept. Listed in Section 1