



City of Coral Gables
CITY COMMISSION MEETING
November 17, 2009

ITEM TITLE:

Ordinance amending the City Code, Chapter 2, entitled "Administration," Article XIII. entitled "Procurement Code" by correcting scrivener's errors; by amending the following sections of the Procurement Code: 2-578 Definitions, 2-583 Application of this Code, 2-630 Centralization of procurement authority, 2-650 Authority, 2-678 Exemptions, 2-765 Methods of Source Selection, 2-766 Competitive sealed bidding (formal bids), 2-768 Competitive sealed proposals, 2-772 Special procurements/bid waiver, 2-773 Revenue generating and concession contracts, 2-833 Request for authority to enter in an agreement, 2-834 Contract Administration, 2-845 Right to conduct inspections and audits, 2-869 Determinations, 2-891 Relationship with user department, 2-950 Resolution of protested solicitations, 2-1004 Bid Security, 2-1007 Insurance requirement and 2-1059 Cone of Silence; further adding new Sections to the Procurement Code as follows: Sections 2-774 Sole Brand Procurement, 2-775 Standardization and 2-776 Bid Documents; Providing For Severability, Repealer and Effective Date. (Passed on First Reading on October 27, 2009)

RECOMMENDATION OF THE CITY MANAGER:

Approval

BRIEF HISTORY:

Submitted for your consideration in the attached ordinance are a number of amendments to update the Procurement Code. Outlined below are the noteworthy items.

Section 2-583 Authority of the Commission, has been clarified in regard to their current authority to waive the Procurement Code. Under Section 2-678 Exemptions, the Procurement Code has been amended to exempt certain professional services contracts. In Section 2-765 Methods of Source Selection, the Code has been expanded to include Sole Brand Procurement and Standardization methods. These new source selection methods have also been added to 2-869 Determinations. Provisions related to revenue generating contracts under Section 2-773 have been amended to clarify that both competitive bids and competitive proposals may be used as methods of source selection for these types of contracts.

Sections 2-833, 2-834 and 2-891 contract administration provisions have been amended to take into account the City's new contract management process. Section 2-845 has been amended to permit audits of contracts, whenever deemed necessary by the City. Section 2-1004 Bid security, has been amended to clarify that bid bond amounts may be based on annual contract amounts on multi-year contracts.

Section 2-950 has been amended to provide that the City Manager, who has the authority to approve contracts up to \$100,000 for goods and services and construction contracts up to \$25,000, will also have the authority to resolve protests in that same bid threshold range. Those contracts exceeding that threshold will need Commission approval. Section 2-1059 Cone of Silence along with Sections 2-578 Definition and 2-768 Competitive sealed proposals, has been amended to exempt the City Manager and Chief Procurement Officer from the Cone of Silence, to allow those responsible for the procurement process to communicate on all procurement matters to insure that the best interests of the City are met.

APPROVED BY:

| Department Director | City Attorney (If Applicable) | City Manager |
|---------------------|-------------------------------|--------------|
| | | |

ATTACHMENT(S):

1. Draft Ordinance