

MILLCREEK, UTAH
ORDINANCE NO. 24-27

**AN ORDINANCE AMENDING THE PROCUREMENT CODE WITH RESPECT TO
ACQUISITION OF NONPROFESSIONAL SERVICES OR SUPPLIES CODIFIED IN
SECTION 2.22.040 OF THE MILLCREEK CODE**

WHEREAS, the Millcreek Council (the “*Council*”) met in regular session on May 28, 2024, to consider, among other things, an ordinance amending the procurement code with respect to acquisition of nonprofessional services or supplies codified in section 2.22.040 of the Millcreek Code; and

WHEREAS, staff has advised the Council that the requirement to obtain approval from the Mayor or Designee for purchases of \$10,000 or less is onerous and request that where the amount to be paid by the City is \$5,000 or less that the request may be approved by the Department Head to whose budget it affects; and

WHEREAS, the Council determines that it has been helpful but hereby determines to remove the limitation of accrued fines for violation.

NOW, THEREFORE, BE IT ORDAINED by the Council that Section 2.22.040 of the Millcreek Code of Ordinances be amended as follows (designated by interlineating the words to be deleted and underlining the words to be added):

2.22.040 Acquisition Of Nonprofessional Services And Supplies, In The Amount Of \$20,000 Or Less

- A. Except as provided herein, whenever the total price of a contract for nonprofessional services or supplies is estimated to be \$20,000 or less, the following procedures shall apply:
1. Where the amount to be paid by the City is \$5,000 or less, a purchase order, service request, check request, or check may be approved by the Department Head to whose budget it affects.
 2. Where the amount to be paid by the City is greater than \$5,000 but \$10,000 or less, a purchase order, service request, check request, or check may be approved by the Mayor or his Designee.
 3. Where the amount to be paid by the City is greater than \$10,000, but \$20,000 or less, three independent price quotes shall be obtained prior to such acquisition and a purchase order, service request, check request, or check must be approved by the Mayor or his Designee.
 4. For purposes of determining the amount to be paid for the purchase order or service request, a single purchase, or what would commonly be considered a

single purchase, shall not be subdivided into component parts to avoid the authorization limits.

- B. Approval of a contract for nonprofessional services or supplies by the City includes authorization to make payment to the contractor or vendor in the amount of the original contract.
- C. Change orders may be approved by the person in the amounts indicated provided the total contract price, including the change order, is within the original budget amount; provided, however, the Mayor or his Designee shall provide a full and complete accounting and description to the Council for any change order or series of change orders with respect to a project that are \$20,000 or less.

This Ordinance assigned Ordinance No. 24-27, shall take effect immediately.

PASSED AND APPROVED this 28th day of May, 2024.



MILLCREEK

Jeff Silvestrini, Mayor

ATTEST:

Elyse Sullivan, City Recorder

Roll Call Vote:

Silvestrini	<u>Yes</u>	No
Catten	<u>Yes</u>	No
DeSirant	<u>Yes</u>	No
Jackson	<u>Yes</u>	No
Uipi	<u>Yes</u>	No

CERTIFICATE OF POSTING

I, the duly appointed recorder for Millcreek, hereby certify that:
ORDINANCE 24-27: AN ORDINANCE AMENDING THE PROCUREMENT CODE WITH RESPECT TO ACQUISITION OF NONPROFESSIONAL SERVICES OR SUPPLIES CODIFIED IN SECTION 2.22.040 OF THE MILLCREEK CODE was adopted the 28th day of May, 2024 and that a copy of the foregoing Ordinance 24-27 was posted in accordance with Utah Code 10-3-711 this 29 day of May, 2024.

Elyse Sullivan, City Recorder