

AN ORDINANCE AMENDING NOTICING REQUIREMENTS IN THE OREM CITY CODE

WHEREAS certain noticing requirements in the City Code are out of compliance with State law;
and

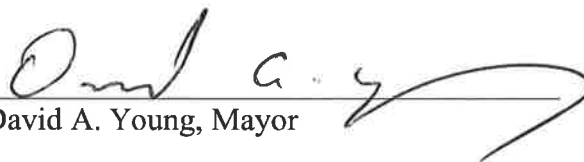
WHEREAS it is necessary for the City to amend the City Code to conform with State law relating
to noticing requirements; and

WHEREAS it is in the best interest of the City to adopt the proposed amendments to the City Code
by ordinance.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF OREM,
UTAH, as follows:

1. The City hereby adopts the proposed amendments to the Orem City Code that are attached
hereto as "Exhibit A" and incorporated herein by reference.
2. If any parts of these ordinance amendments shall be declared invalid, such decision shall not
affect the validity of the remainder of this ordinance.
3. This resolution shall take effect immediately upon passage.
4. All other ordinances, resolutions, and policies in conflict herewith, either in whole or in part,
are hereby repealed.

PASSED and APPROVED this 28th day of May 2024.


David A. Young, Mayor

ATTEST:


Teresa McKittrick, City Recorder



COUNCIL MEMBER

AYE NAY ABSTAIN

Mayor David A. Young
Chris Killpack

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David Spencer
Jeff Lambson
Jenn Gale
LaNae Millett
Tom Macdonald

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Exhibit A

2-4-2. Public Notice of Meetings.

A. The City Council shall give public notice at least once each year of its annual meeting schedule. The public notice shall specify the date, time and place of the meetings.

(Ord. No. 661, Revised, 04/10/1990)

B. In addition to the notice requirements of subsection A of this section, the City Council shall give not less than 24 hours' public notice of the agenda, date, time and place of each of its meetings.

(Ord. No. 661, Revised, 04/10/1990)

C. For purposes of this section, "public notice" shall be satisfied by:

1. Posting written notice at the principal office of the City Council, or if no such office exists, at the building where the meeting is to be held; and

~~2. Providing notice to at least one newspaper of general circulation within the geographic jurisdiction of the City, or to a local media correspondent. Publishing the notice on the Utah Public Notice Website; and~~

~~2.3. Publishing the notice on the official website for the City.~~

(Ord. No. 661, Revised, 04/10/1990)

D. When because of unforeseen circumstances it is necessary to hold an emergency meeting to consider matters of an emergency or an urgent nature, the notice requirements of this section may be disregarded and the best notice practicable given.

(Ord. No. 661, Revised, 04/10/1990)

E. In addition to the notices set forth above, the City shall give such additional notices as may be required by State law and/or City ordinance for the particular type of action being considered.

(Ord. No. 661, Revised, 04/10/1990)

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2-7-4. Bid Processes.

Except as provided in Section 2-7-9, bids shall be accepted and awarded by the City Manager pursuant to one of the bid processes outlined in this Section. Section 2-7-5 establishes when each of the bid processes described in this Section may be used. The City shall substantially comply with the following guidelines for the specific bid process used:

A. Competitive Sealed Bidding.

1. Description. Competitive sealed bidding is a procedure in which vendors or contractors are invited to submit formal bids to provide a designated product or to complete a designated project in accordance with specifications provided by the City.
2. Appropriateness. Competitive sealed bidding is generally appropriate for all types of procurements. When contractor quality is a prime concern in awarding a project bid, the City may pre-qualify bidders according to a policy established by the City Manager.
3. Notice inviting bids issued. The City shall provide notice of its invitation for bids.
 - a. Notice includes a general description of the articles to be purchased or the work to be performed, the location where bid blanks and specifications may be secured, and the time and place for opening bids.
 - b. The notice inviting bids shall be published at least seven (7) days before the day of the deadline for submission of a solicitation response:
 - (i) Published in a newspaper of general circulation in the City at least ten (10) days before the date of the opening of the bids or published with an outside sources entity whose purpose it is to facilitate the advertisement and recruitment of competitive bidders at least ten (10) days before the date of the opening of the bids.
 - (ii) Delivered to all known responsible prospective suppliers, including those whose names are on a bidders' list or who have made a written request that their names be added to the bidders' list.
 - (iii) Posted on a public bulletin board in the City Center Building and the City's website at least ten (10) days before the opening of the bids.
 - c. on the official website for the City; or
 - d. on a state website that is owned, managed by, or provided under contract with, the division for posting a public procurement notice.
4. Bid procedure.
 - a. Sealed bids (or electronically submitted bids) shall be submitted as designated in the notice with the statement "Bid for (item or project)" on the envelope (or in the electronic transmission).
 - b. Bids shall be opened (or read, in the case of electronically submitted bids) in public at the time and place stated in the public notice.
 - c. Bids submitted to the City shall be evaluated on the basis of compliance with specifications and other relevant criteria.
5. Bid Award. If the City elects to proceed with the purchase or project, bids shall be awarded to the lowest responsive responsible bidder.

(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-07-0047, Amended 10/23/2007; Ord. No. O-2014-0030, Amended 08/26/2014)

B. Requests for Proposals.

1. **Description.** Requests for proposals (RFPs) are invitations for suppliers or contractors to submit a proposal on a specific product or service. The City awards the contract for the product or service based on criteria set forth in the request for proposals.
2. **Appropriateness.** RFPs may be used when required by law, or when the City Purchasing Agent determines, in writing, that the RFP process will provide the best value to the City, or that the use of formal competitive bidding is either impractical or not advantageous to the City. In making this determination, the City Purchasing Agent shall consider factors such as:
 - a. whether there may be a need for price and service negotiation;
 - b. whether there may be a need for negotiation during performance of the contract;
 - c. whether the relative skills or expertise of the offerors will have to be evaluated;

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- d. whether cost is secondary to the characteristics of the product or service sought, as in a work of art;
- e. whether the conditions of the service, product or delivery are unable to be sufficiently described in the invitation for bids;
- f. whether the City is requesting the offeror to propose a method or strategy for completing the project; and
- g. whether there may be a need to negotiate completion times related to the project.

If the City is requesting a price to complete an already designed project or to purchase a specific product(s), it will generally be more appropriate to use the competitive sealed bids procedure rather than the request for proposals procedure. Professional services will generally be procured through the request for proposals procedure or as set forth in Section 2-7-6(A).

3. Notice.

- a. Proposals shall be solicited through a request for proposals.
- b. Public notice of the request for proposals shall be given. The time period to submit a response to a request for proposal shall be no less than ten (10) days.

4. Request for proposals. The request for proposals shall state the relative importance of price and other evaluating factors.

5. Opening of proposals. Proposals shall be opened so as to avoid disclosure of contents to competing offerors during the process of negotiation. Nothing herein shall be interpreted to prohibit the City from allowing or accepting electronically submitted proposals.

6. Revision of proposals.

- a. As provided in the request for proposals, discussions may be conducted with responsible offerors who submit proposals determined to be reasonably susceptible of being selected for award for the purpose of assuring full understanding of, and responsiveness to, solicitation requirements.
- b. Offerors shall be accorded fair and equal treatment with respect to any opportunity for discussion and revision of proposals, and revision may be permitted after submissions and prior to award for the purpose of obtaining best and final offers.
- c. In conducting discussions, there shall be no disclosure of any information derived from proposals submitted by competing offerors.

7. Award. Award shall be made to the responsible offeror whose proposal is determined to be the most advantageous to the City, taking into consideration price, the evaluation factors set forth in the request for proposals, and other criteria set forth herein.

(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-07-0047, Amended 10/23/2007; Ord. No. O-2014-0030, Amended 08/26/2014)[Ord. # O-2018-0004, 02/13/2018]

C. Reverse Auction

1. Use of Reverse Auctions.

- a. Reverse auction bidding may be used if the City Manager determines, in writing, that reverse auction bidding would provide the best value to the City.
- b. Reverse auction bidding is appropriate when there are multiple prequalified providers of a procurement item.

2. Process and Requirements of Reverse Auction.

- a. The reverse auction bidding process begins when the City issues an invitation for bids to prequalify bidders to participate in the reverse auction.
- b. The invitation for bids shall:
 - i. state the period of time during which bids will be accepted;
 - ii. state that the bid will be conducted by reverse auction;
 - iii. describe the procurement item sought;
 - iv. describe the minimum requirements to become pre-qualified;
 - v. state the required contractual terms and conditions; and
 - vi. describe the procedure that the City will follow following the reverse auction.
- c. In order to participate in a reverse auction, a bidder shall agree to:

- i. the specifications, and contractual terms and conditions, of the procurement; and
 - ii. learn and abide by the procedure that the City will follow in conducting the reverse auction.
- d. The City shall publish an invitation for bids for a reverse auction in accordance with 2-7-4(3)(b).

3. Conduct of Reverse Auction

- a. When conducting a reverse auction, the City:
 - i. may conduct the reverse auction at a physical location or by electronic means;
 - ii. shall permit all prequalified bidders to participate in the reverse auction;
 - iii. may not permit a bidder to participate in the reverse auction if the bidder did not prequalify to participate in the reverse auction;
 - iv. may not accept a bid after the time for submission of bid has expired;
 - v. shall update the bids on a real time basis; and
 - vi. shall conduct the reverse auction in a manner that permits each bidder to:
 - 1. bid against each other; and
 - 2. lower the bidder's price below the lowest bid before the reverse auction closes.
- b. At the end of the reverse auction, the city shall:
 - i. award the contract as soon as practicable to the lowest responsible bidder who meets the objective criteria listed in the invitation for bids; or
 - ii. cancel the reverse auction without awarding a contract.
- c. After the reverse auction is finished, the City shall make publicly available:
 - i. the amount of the final bid submitted by each bidder during the reverse auction and the identity of the bidder that submitted each final bid; and
 - ii. if practicable, the amount of each bid submitted during the reverse auction and the identity of the bidder that submitted each bid.

D. Written Bid procedure.

1. **Written Bids.** Purchases shall, whenever possible, be based on at least three written bids and shall be awarded to the lowest responsible bidder. Written bids are written price quotes provided by a vendor to provide a particular good or service to the City.
2. **Request for Written Bids.** Written bids shall be solicited from prospective vendors by written or oral request.
3. **Records.** The person soliciting the written bids shall keep a record of the written bids solicited, (including vendor name, date of solicitation, and manner of solicitation (written or oral)), the written bids submitted, and shall include this information with the purchase order.

E. Documented Price Quote Procedure.

1. **Price Quotations.** Purchases shall, whenever possible, be based on at least three (3) documented price quotes and shall be awarded to the lowest responsible bidder. Documented price quotes are written or oral price quotes provided by a vendor to provide a particular good or service to the City.
2. **Request for Price Quotes.** Bids (price quotations) shall be solicited from prospective vendors by written or oral request.
3. **Records.** The person soliciting the documented price quotes shall keep a record of documented price quotes solicited, including vendor names, date of solicitation and price quoted, and shall include this information with the purchase order.

{Ord. No. 661, Revised, 04/10/1990; Ord. No. O-07-0047, Amended 10/23/2007}[Ord. # O-2018-0004, 02/13/2018]

F. Errors and Mistakes in Bid Process. The City Manager may waive minor irregularities in bid procedures if he determines, in his sole discretion, that the minor irregularities do not have a material effect on the outcome of the bid process and that the process remains fundamentally fair to the City and all participants. In cases where the error has a material effect on the outcome of the bid process, the City Manager may (1) reject all bids, (2) award the bid to the lowest responsive responsible bidder (if the City elects to disqualify bidders who do not strictly comply with the bid specifications), or (3) correct mistakes in accordance with policies adopted by the City Manager or in accordance with procurement rules in the State Administrative Code.

2-7-9. Special Rules and Procedures Required by State Law.

State law requires the City to follow specific bid procedures for specified types of supplies and services. This Section sets forth the requirements and cites the applicable State law. The City shall comply with the applicable State law, as amended, regardless of whether or not this ordinance reflects the most recent version of State law.

A. Building Improvements and Public Works Projects. Building improvements and public works projects with a cost estimate that exceeds the bid limit shall be bid in accordance with applicable State law (U.C.A. '11-39-101, et seq., as amended). Applicable requirements of State law include the following:

1. Definitions. For purposes of this subsection A, the designated words shall be defined as follows:

a. **"Bid limit"** means:

(i) For a building improvement:

- a. for the year 2003, \$40,000; and
- b. for each year after 2003, the amount of the bid limit for the previous year, plus an amount calculated by multiplying the amount of the bid limit for the previous year by the lesser of 3% or the actual percent change in the Consumer Price Index during the previous calendar year; and

(ii) For a public works project:

- a. for the year 2003, \$125,000; and
- b. for each year after 2003, the amount of the bid limit for the previous year, plus an amount calculated by multiplying the amount of the bid limit for the previous year by the lesser of 3% or the actual percent change in the Consumer Price Index during the previous calendar year.

b. **Building Improvement:** The construction or repair of a public building or structure.

c. **Consumer Price Index:** The Consumer Price Index for All Urban Consumers as published by the Bureau of Labor Statistics of the United States Department of Labor.

d. **Public Works Project:** The construction of (i) a park or recreational facility; or (ii) a pipeline, culvert, dam, canal, or other system for water, sewage, storm water, or flood control. The definition of "public works project" does not include the replacement or repair of existing infrastructure on private property.

2. Plans and Specifications. The City shall cause plans and specifications to be made for the building improvement or public works project.

3. Cost Estimate. The City shall estimate the cost of the building improvement or public works project.

4. Bid Notice. If the estimated cost of the building improvement or public works project exceeds the bid limit, and if the City decides to proceed with the project, the City shall request bids by publishing notice for at least five (5) days by: at least twice in a newspaper published or of general circulation in Orem at least five (5) days before opening the bids, and publishing notice in accordance with Utah Code §45-1-101 on the public notice website, at least five days before opening the bids.

a. Publishing the notice on the Utah Public Notice Website;

b. Publishing the notice on the official website for the City; and

4.c. Publishing the notice on a state website that is owned, managed by, or provided under contract with, the division for posting a public procurement notice.

5. Contract. If the City decides to proceed with the project, the City shall enter into a contract for the completion of the building improvement or public works project with the lowest responsive responsible bidder.

6. Exceptions. The State statutory bidding requirements do not apply to (i) emergency repairs, as defined by State law, or (ii) building improvements or public works projects if the estimated cost is less than the bid limit.

7. Bid Rejection/Work by City. The City may reject any or all bids submitted for a given building improvement or public works project. If the City rejects all bids submitted but still intends to undertake the building improvement or public works project, the City shall again request bids by following the procedure outlined above. If, after twice requesting bids by following the procedure outlined above, the City determines that no satisfactory bid has been submitted, the

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City may undertake the building improvement or public works project as it considers appropriate.

(Ord. No. O-07-0047, Enacted 10/23/2007; Ord. No. O-2014-0030, Amended 08/26/2014)

B. B and C Road Funds. Any improvement project using Class B and C road funds shall be bid in accordance with applicable State law (U.C.A. § 72-6-108 and 72-6-109, as amended). Applicable requirements of State law include the following:

1. Definitions. For purposes of this subsection B, the designated words shall be defined as follows:

a. **Bid Limit.** "Bid limit" means:

- (i) for the year 2003, \$125,000; and
- (ii) for each year after 2003, the amount of the bid limit for the previous year, plus an amount calculated by multiplying the amount of the bid limit for the previous year by the lesser of 3% or the actual percent change in the Consumer Price Index during the previous calendar year.

b. **Consumer Price Index.** "Consumer Price Index" means the Consumer Price Index for All Urban Consumers as published by the Bureau of Labor Statistics of the United States Department of Labor.

c. **Construction.** "Construction" means the work that would apply to:

- (i) any new roadbed either by addition to existing systems or relocation;
- (ii) resurfacing of existing roadways with more than two inches of bituminous pavement; or
- (iii) new structures or replacement of existing structures, except the replacement of drainage culverts.

"Construction" does not include maintenance, emergency repairs, or the installation of traffic control devices as described in U.C.A. § 41-6a-302, as amended.

d. **Improvement Project.** "Improvement project" means construction and maintenance as defined in this section except for that maintenance excluded under Subsection (B)(9).

e. **Maintenance.** "Maintenance" means the keeping of a road facility in a safe and usable condition to which it was constructed or improved, and includes:

- (i) the reworking of an existing surface by the application of up to and including two inches of bituminous pavement;
- (ii) the installation or replacement of guardrails, seal coats, and culverts;
- (iii) the grading or widening of an existing unpaved road or flattening of shoulders or side slopes to meet current width and safety standards; and
- (iv) horizontal or vertical alignment changes necessary to bring an existing road in compliance with current safety standards.

f. **Project.** "Project" means the performance of a clearly identifiable group of associated road construction activities or the same type of maintenance process, where the construction or maintenance is performed on any one class B or C road, within a half-mile proximity and occurs within the same calendar year.

2. **Plans.** The City shall cause plans, specifications, and estimates to be made prior to the construction of any improvement project on a class B or C road if the estimated cost for any one project exceeds the bid limit for labor, equipment, and materials.

3. **Lowest Responsible Bidder.** All projects in excess of the bid limit shall be performed under contract to be let to the lowest responsible bidder.

4. **No Project Division.** If the estimated cost of the improvement project exceeds the bid limit for labor, equipment, and materials, the project may not be divided to permit the construction in parts, unless each part is done by contract.

5. **Advertisement.** The advertisement on bids shall be published for three (3) week by in a newspaper of general circulation in the City at least once a week for three consecutive weeks.

a. Posting a written notice at the Orem City Center;

b. Publishing the notice on the Utah Public Notice Website; and

c. Publishing the notice on the official website for the City.

6. **Bids.** The City shall receive sealed bids and open the bids at the time and place designated in the advertisement. The

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City may then award the contract but may reject any and all bids.

7. **Procurement Code.** The person, firm, or corporation that is awarded a contract under this section is subject to the provisions of Title 63G, Chapter 6a, Utah Procurement Code.

8. **Retainage.** If any payment on a contract with a private contractor for construction or improvement of a class B or C road is retained or withheld, the payment shall be retained or withheld and released as provided in Section U.C.A. '13-8-5.

9. **Exceptions.** The following types of maintenance work are not subject to the contract or bid limit requirements of this subsection B:

- a. the repair of less than the entire surface by crack sealing or patching; and
- b. road repairs incidental to the installation, replacement, or repair of water mains, sewers, drainage pipes, culverts, or curbs and gutters.

10. **Force Accounts.** If the estimates of the qualified engineer are substantially lower than any responsible bid received or in the event no bids are received, the City may perform the work by force account. In no event shall "substantially lower" mean estimates that are less than 10% below the lowest responsible bid. If the City performs an improvement project by force account, it shall:

- a. provide an accounting of the costs and expenditures of the improvement including material, labor, and direct equipment costs to be calculated using the Cost Reference Guide for Construction Equipment by Dataquest Inc. or the Federal Emergency Management Agency schedule of equipment rates;
- b. disclose the costs and expenditures to any person upon request and allow the person to make a copy and pay for the actual cost of the copy; and
- c. perform the work using the same specifications and standards that would apply to a private contractor.

(Ord. No. O-07-0047, Enacted 10/23/2007; Ord No. O-2021-0024 Amended 09/28/2021)

C. Architect-Engineer Services.

1. As used in this subsection C, "architect-engineer services" means those professional services within the scope of the practice of architecture as defined in U.C.A.'58-3a-102, or professional engineering as defined in U.C.A. 'Section 58-22-102.

2. When the City elects to obtain architect or engineering services by using a competitive procurement process and has provided public notice of its competitive procurement process:

- a. a higher education entity, or any part of one, may not submit a proposal in response to the City's competitive procurement process; and
- b. the City may not award a contract to perform the architect or engineering services solicited in the competitive procurement process to a higher education entity or any part of one.

(Ord. No. O-07-0047, Enacted 10/23/2007)

2-7-10. Disposal or Lease of Public Property.

A. Declaration of Surplus. No City-owned property having an estimated value in excess of five hundred dollars (\$500.00) shall be disposed of or released to anyone other than the City, unless such property has been declared surplus as set forth in this ordinance.

(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-03-0018, Amended, 07/01/2003; Ord. No. O-07-0047, Amended and Renumbered 10/23/2007)

B. Inter-Department Transfers. Whenever City-owned personal property is surplus, unused, obsolete, unsuitable or otherwise no longer needed, the department head having control of such property shall notify the City Manager. The City Manager may notify other city departments of the availability of such property. The City Manager shall supervise any transfer of such property to any other department. If no use can be made or can be expected to be made within the reasonably foreseeable future, the property shall be disposed of in accordance with this section.

(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-03-0018, Amended, 07/01/2003; Ord. No. O-07-0047, Amended and Renumbered 10/23/2007)

C. Disposal of City-owned Personal Property. The City Manager shall prepare a listing of all City-owned personal property which he or she feels is no longer needed by the City and which can be declared surplus. After an item has been declared surplus by the City Manager, the property may be disposed of. All disposals, leases and/or subleases of City-owned personal property shall be made, as nearly as possible, under the same conditions and limitations as required by this Article for the purchase of personal property by the City, but the City Manager may also authorize, at his or her discretion:

1. The sale of any such property at public auction if he or she deems such a sale desirable and in the best interest of the City; or
2. The lease or sublease of any such property under such terms and conditions as he or she may deem desirable, fair and appropriate, considering the best interests of the City.
3. The sale of any such property at market price, assuming that the property has a reasonably ascertainable market price.
4. A sale or trade to another governmental agency, if he or she deems such disposition to be in the best interests of the City.

(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-03-0018, Amended, 07/01/2003; Ord. No. O-07-0047, Amended and Renumbered 10/23/2007)

D. Disposal of City-owned Real Property. The City Council may declare any City-owned significant parcel of real property (as defined below) to be surplus. The City Manager may declare any City-owned nonsignificant parcel of real property (as defined below) to be surplus if he finds that the parcel is no longer needed by the City. After City-owned real property is declared to be surplus, the City may dispose of the real property pursuant to the following guidelines:

1. Definitions. For purposes of this Section 2-7-10, the designated words shall have the following meanings:

a. **Significant Parcel of Real Property.** A "significant parcel of real property" means a parcel of real property that is larger than 5,000 square feet in size or that has a fair market value in excess of \$20,000. The following parcels of real property are excluded from the definition of "significant parcel of real property", even if they meet the size or valuation standards set forth above:

(i) Parcels disposed of by the City as part of a boundary line agreement or adjustment.

(ii) Parcels created by a right-of-way vacation or an easement vacation.

(iii) Parcels that are undevelopable unless combined with an adjacent parcel. A parcel will be considered to be undevelopable if it cannot be developed as an independent parcel due to City ordinance requirements or due to the physical characteristics of the parcel.

(iv) Parcels acquired by eminent domain or other means if the City is statutorily or contractually obligated to first offer the parcel to a specific party, provided that the parcel is offered, sold, or conveyed to the party holding the right to acquire the parcel.

b. **Nonsignificant Parcel of Real Property.** A "nonsignificant parcel of real property" shall mean any parcel of real property that is not included in the definition of "significant parcel of real property."

c. **Reasonable Notice.** "Reasonable notice" shall mean a brief summary of the proposed disposition including (1) a

general description of the parcel (including the approximate address of the parcel, the approximate size of the parcel, the zone designation of the parcel, and the current use of the parcel), and (2) the date, time and location where the public can comment on the proposed disposition. The notice shall be published ~~by: at least once in a newspaper of general circulation in the City of Orem, and posted in at least one location at the Orem City Center.~~

~~(i) Posting a written notice at the Orem City Center;~~

~~(ii) Publishing the notice on the Utah public Notice Website; and~~

~~€(iii) Publishing the notice on the official website for the City.~~

2. Disposal of Significant Parcel of Real Property. Before disposing of a significant parcel of real property, the City shall:
 - a. Notice. Provide reasonable notice of the proposed disposition at least 14 days before the opportunity for public comment; and
 - b. Public Comment. Allow an opportunity for public comment on the proposed disposition. The opportunity for public comment shall take place at an Orem City Council meeting.
3. Disposal of Nonsignificant Parcels of Real Property. The City Manager may dispose of any nonsignificant parcel of real property pursuant to a policy adopted by the City Manager.
4. Manner of Disposal. The City may dispose of real property by sale, trade, lease, sub-lease, or other means deemed to be in the best interests of the City by the City Council (for significant parcels of real property) or the City Manager (for nonsignificant parcels of real property).

(Ord. No. 661, Revised, 04/10/1990; Ord. No. O-03-0018, Amended, 07/01/2003; Ord. No. O-07-0047, Amended and Renumbered 10/23/2007)

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13-4-2. Request for proposals.

The City may issue a request for proposals for use of the City Center Park for the purpose of a large-scale Fourth of July celebration which is open to the public. The request for proposals shall set forth the minimum requirements that an applicant must meet in order to qualify for consideration. The City shall publicize the request for proposals in the following manner: by publishing at least seven (7) days before the day of the deadline for submission of a solicitation response:

A. on the official website for the City; or

B. on a state website that is owned, managed by, or provided under contract with, the division for posting a public procurement notice.

A. By posting the request for proposals on a public bulletin board in the City Center Building at least ten (10) days before opening of proposals; and

—(Ord. No. O-1998-0027, Enacted, 05/26/1998)

B. By mailing the request for proposals to all known interested, responsible individuals and entities who have made a written request that their name(s) be included on the list of interested persons/entities; and

—(Ord. No. O-1998-0027, Enacted, 05/26/1998)

C. By publishing the request for proposals in a newspaper of general circulation in the City at least ten (10) days before the date of opening the proposals.

—(Ord. No. O-1998-0027, Enacted, 05/26/1998)