

**Ogden Valley City
Resolution No. 2026-__**

**A RESOLUTION OF THE CITY COUNCIL OF OGDEN VALLEY CITY ADOPTING
THE OGDEN VALLEY CITY PROCUREMENT POLICY**

WHEREAS, Ogden Valley City ("City") is required to comply with the Utah Procurement Code, Utah Code Title 63G, Chapter 6a, and all other applicable state and federal purchasing laws; and

WHEREAS, the City Council is responsible for establishing clear, transparent, and defensible procurement standards governing purchasing thresholds, competitive bidding, vendor selection, contract execution, public works projects, emergency acquisitions, and related purchasing activities; and

WHEREAS, the Mayor and Administrative Services Department require formally adopted procurement procedures to ensure consistent internal controls, separation of duties, audit readiness, and protection of public funds; and

WHEREAS, the attached Ogden Valley City Procurement Policy provides detailed standards for purchasing authority, competitive procurement, exemptions, ethical requirements, contract execution, and documentation; and

WHEREAS, the City Council finds that adopting this policy is in the best interest of the City, promotes transparency, strengthens internal controls, ensures fair and competitive purchasing practices, and supports responsible stewardship of taxpayer resources;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF OGDEN VALLEY CITY, UTAH, AS FOLLOWS:

Section 1. Adoption of Procurement Policy.

The Ogden Valley City Procurement Policy, attached hereto and incorporated by reference, is hereby adopted as the official procurement policy of Ogden Valley City. All City officers, employees, contractors, and volunteers shall comply with this policy.

Section 2. Delegation of Administrative Authority.

The Mayor is authorized to establish administrative practices consistent with the adopted policy and applicable law, including purchasing procedures, vendor management, and emergency procurement processes, as described in the attached document.

Section 3. Supersession.

This Resolution supersedes any prior procurement procedures, directives, or purchasing practices inconsistent with the adopted policy.

Section 4. Severability.

If any provision of this Resolution or the attached policy is declared invalid, the remaining provisions shall remain in full force and effect.

Section 5. Effective Date.

This Resolution shall take effect immediately upon adoption.

Council Member	Aye	Nay
Council Member Don Hickman		
Council Member Kay Hoogland		
Council Member Tia Shaw		
Council Member Peggy Dooling-Baker	_____	_____
Council Member Chad Booth		

PASSED AND APPROVED this ___ day of _____, 2026.

OGDEN VALLEY CITY COUNCIL

Mayor Janet Wampler

ATTEST:

Sharon Robbins, City Recorder

APPROVED AS TO FORM:

City Attorney

OGDEN VALLEY CITY PROCUREMENT POLICY

General Provisions

1. Purchasing Agent Designated. The Finance Director or supervisory Council Member is hereby appointed and designated as the Ogden Valley City Purchasing Agent. The Purchasing Agent may, from time to time, appoint another person to undertake all or some of the duties of the Purchasing Agent set forth herein or appointed to him.
2. Authority to Enter into and Execute Contracts. All contracts shall be approved by the City Council and City Attorney, except that the Mayor is authorized to approve and execute administrative contracts for goods or services that (a) do not exceed one (1) year in term and (b) do not exceed \$50,000 in total cost, provided such contracts are within the approved budget. No department, office, advisory or policy board or other organization of the City, nor any officer or employee thereof, shall be empowered to execute any purchase order or contract except as specifically authorized in this resolution or by other applicable law.
3. Conflict of Interests Prohibited. No officer, employee, agent, representative or member of any committee of the municipality shall have a financial interest in any contract, bid, or proposal; receive any compensation or gift from any bidder or proposer; or have any other conflict of interest (See Utah Code 67-16 and 17-16a, City Code Section 2-11).
4. Competitive Procurement. Unless exempted by this policy, all purchases and contracts shall be awarded on a competitive basis, as required by this Resolution and applicable State and Federal law.
5. Participation in State Procurement Unit Agreement and Contracts. Pursuant to Utah Code 63G-6a-2105, Ogden Valley City may make purchases from or participate in state public procurement unit agreements and contracts, pursuant to the terms of said agreements and contracts without soliciting additional procurement options.
6. Exemptions. Payroll and utilities are exempted from purchase order requirements. Goods and services determined to be sole source purchases are exempt. Purchases made through State Cooperative Contracts for purchasing are also excluded.
7. Unethical Purchasing Practices. Failure of any agent, officer or employee to comply with ethical purchasing requirements may result in suspension, termination, being personally liable for the purchase and/or criminal prosecution. All agents, officers and employees engaged in the procurement process for the City will maintain high ethical behavior in agreement with Utah Code 67-16, Utah Public Officers' and Employees' Ethics Act, and the City Code Section 2-11, and avoid the following practices:
 1. Dividing a procurement to avoid following policy (see Utah Code 63G-6a-2404.3)

2. Kickbacks and Gratuities (see Utah Code 63G-6a-2404, 67-16-5 through 67-16-6)
 3. Failure to Disclose conflicts (see Utah Code 63G-6a-1205 & 67-16-9)
 4. Cost-plus-a-percentage-of-cost contracts (see Utah Code 63G-6a-1205)
8. City purchases are not subject to sales tax. For vendors requiring documentation of tax-exempt status, a TC-712G Exemption Certificate for Governments and Schools may be obtained from the Purchasing Agent.
 9. When procurement involves the expenditure of State or Federal funds, Ogden Valley City shall comply with the applicable State and Federal laws and regulations.
 10. All documentation related to quotes, bids, contracting and approvals will be submitted to City Finance for audit retention purposes.

Authorization Requirements for Purchases

1. Authority Levels. All approval levels and purchases shall be made in compliance with the spending authority and documentation requirements established in the City's Comprehensive Finance Procedures and be within budgeted purposes and limits.
2. Avoidance of approval and written contract requirements. Purchases shall not be divided into smaller purchases for the purpose of evading the approval process required by this policy, or for the purpose of avoiding the need to obtain a written contract.
3. Competitive Sealed Bids/RFP Process – When Required
 1. All procurements of goods which are reasonably anticipated to exceed \$50,000 shall be obtained by competitive sealed bidding pursuant to Request for Proposal practices. The City Council may also require competitive sealed bidding for the procurement of goods and services for any amount.
 2. In the event that bids exceed available funds and the lowest responsive and responsible bid does not exceed funds available by more than 5% percent, the City Council may, where time or economic considerations preclude re-solicitation of work of a reduced scope, negotiate an adjustment of the bid price, including changes in the bid requirements, with the lowest responsive and responsible bidder, in order to bring the bid within the amount of available funds.
 3. Content of Invitation for Bids. An invitation for bids shall:
 4. State that the City is seeking bids for a procurement;
 5. Contain information on how to contact the person with the most knowledge about the procurement;
 6. State the period of time during which bids will be accepted;
 7. Describe the manner in which a bid shall be submitted;
 8. State the address at which a bid may be submitted, and the person to whom the bid should be submitted;
 9. Describe the goods or services sought to be procured;
 10. List or refer to the objective criteria that will be used to evaluate the bids.

11. To the extent possible, include or reference significant contractual terms and conditions.
12. State the date, time and place for the public opening of all bids.
13. An invitation to bid may require attendance at a pre-bid meeting for the purpose of obtaining additional information relevant to the bid. The invitation shall list the time; date and place of any pre-bid meeting that will take place.
14. An invitation to bid may require that a bidder obtain additional specifications and objective criteria too lengthy to publish in the invitation for bids. The invitation to bid shall indicate where such information may be obtained.
15. All invitations for sealed bids shall be published at least one time in a newspaper of general circulation at least 14 days prior to the deadline for submission of a bid.
16. All sealed bids shall be opened by the Purchasing Agent or designated representative in an open public meeting, before one or more witnesses, at the time and place indicated in the invitation for bids. The name of the bidder and the amount of each bid shall be recorded and made available to the public. Bids shall not be accepted after the time for submission of a bid has expired.
17. The City Council shall reject bids from further evaluation that are: incomplete, illegible, conditional, modify bid requirements, contain additional terms or conditions, divide bid into parts, failed to attend required pre-bid meetings, fail to confirm requirements or specifications, the bidder has a pending dispute with City on a previous project or where the City Council reasonably concludes that the bidder is unable to satisfactorily fulfill the bid requirements or has engaged in unlawful or unethical conduct in attempting to secure the bid. Any bidder whose bid has been rejected may obtain from the purchasing agent a written finding stating the specific reason the bid was rejected.
18. The City Council shall award the bid/contract to the lowest qualified bidder or the bidder who best satisfies the objective criteria described in the invitation for bids which may include: Experience, performance ratings, inspection of workmanship, suitability, quality, likely compatibility with existing assets or practices, availability, warranty, references, licensure, proximity or other criteria reasonably specified in the invitation to bid. W-9 forms will be required for all new vendors.
19. Tied bids may be resolved using any reasonable criteria and at the sole discretion of the City Council.
20. The City may cancel the bid process or reject all bids in whole or in part if it determines that; no bids met bid requirements, there are insufficient funds, the item is no longer needed or the specifications or timing does not meet the City's current needs or long term plans. In the event of a bid cancellation the City Council shall publicly state the reason for the cancellation and make that information available for public inspection.
21. Exemptions from competitive bid requirements may include the following: Sole source providers; service contracts with professionals or specialists; emergency purchases; purchases made through contracts awarded by the State of Utah Division of Purchasing and General Services, or through any cooperative purchasing agreement authorized under Utah Code 63G-6a-2105, including the State Cooperative Contract List.

22. Protests to the bidding process shall be submitted to the Purchasing Agent in writing within 5 days. The Purchasing Agent will respond to the protest within 5 days of receiving the complaint. The Purchasing Agent's decision may be appealed to the City Council in writing within 5 days. The City Council may address the appeal at its next regularly scheduled meeting or hold a special meeting to evaluate the merits of the protest appeal.

Work Session 2-12-26

SUGGESTED QUOTE SHEET

[Sample May Be Modified for Particular Projects]

Product or Service Requested: (Include specific project requirements such as required completion date etc.)

Vendor #1:

Company Name: _____
Person Contacted: _____ Date Contacted: _____
Method of Contact: Phone E-mail In-person Other:
Contact Information: Phone: _____ Address: _____
Amount Quoted: (Or attach vendor's written proposal or bid) _____

Vendor #2:

Company Name: _____
Person Contacted: _____ Date Contacted: _____
Method of Contact: Phone E-mail In-person Other:
Contact Information: Phone: _____ Address: _____
Amount Quoted: (Or attach vendor's written proposal or bid) _____

Vendor #3:

Company Name: _____
Person Contacted: _____ Date Contacted: _____
Method of Contact: Phone E-mail In-person Other:
Contact Information: Phone: _____ Address: _____
Amount Quoted: (Or attach vendor's written proposal or bid) _____

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