

MINERSVILLE TOWN ORDINANCE NO. 2020-0

AN ORDINANCE AMENDING THE REVISED ORDINANCES OF MINERSVILLE TOWN,
BY ENACTING CHAPTER 1-300 PURCHASING POLICY.

WHEREAS, the Minersville Town Council of MINERSVILLE TOWN is
mandated by the State of Utah to adopt purchasing policies; and

WHEREAS, the adoption of the following purchase policy is in accordance with
the mandate of the State of Utah and is in the best interest of the health, general welfare and
safety of the inhabitants of MINERSVILLE TOWN:

NOW THEREFORE, IT IS HEREBY ORDAINED BY THE MINERSVILLE
TOWN COUNCIL of MINERSVILLE TOWN:

Section 1. CHAPTER 7-400 of the REVISED ORDINANCES OF
MINERSVILLE TOWN, 2002 Edition, is hereby enacted to read as follows:

CHAPTER 7-400. PURCHASING POLICY

SECTION 7-401. Adoption of the UTAH PROCUREMENT CODE.

- A. The Utah Procurement Code, Section 63G-6-101 Et. Seq. Utah Code Annotated, as amended 1953 is adopted as the Procurement code for MINERSVILLE TOWN and are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance.
- B. In accordance with Section 63G-6-104 (3) (a) Utah Code Annotated, as amended 1953, the following sections apply; Sections 63G-6-103, 63G-6-105, 63G-6-301 63G-6-303 through 63G-6-420, 63G-6-422, 63G-6-501 through 63G-6-602, 63G-6-801 through 63G-6-806, and 63G-6-815 through 63G-6-819; provided, however, that, except as provided in Sections 63G-6-906 and 63G-6-907, the jurisdiction of the procurement appeals board is limited to matters involving state agencies.
- C. In accordance with Section 63G-6-104 (3) (b) Utah Code Annotated, as amended 1953, Subsections 63G-6-208(1)(b), 63G-6-504(4), and 63G-6-505(2) also apply to local public procurement units.
- D. For the purpose of application of those sections and subsections to a local public procurement unit, "state" shall mean "local public procurement unit," "chief procurement officer" or "head of a purchasing agency" shall mean any person conducting procurement for a local public procurement unit, and "rules and regulations" shall mean ordinances and rules and regulations promulgated by a local public procurement unit to implement or supplement those sections.

SECTION 7-402. Purchases

- A. Up to \$100.00 in total shall not require bids of any type.
- B. Between 100.00 and 300.00: Informal bids from at least three sources must be obtained. Bids should be documented on the "telephone quotation form" or may be supported by written quotations from vendors. This documentation should be attached to the purchase order. A department head or the Mayor must approve the purchase prior to the issuance of a P.O.
- C. Between \$300.00 and \$1,000.00: Informal written bids from at least three sources must be obtained. Faxed quotations are acceptable. Purchases must be supported by written quotations from vendors. Direct solicitation is allowed. Award of purchase requires the approval of the Mayor.
- D. Over \$1,000.00: The formal sealed bid is used for major purchases. An invitation to bid must be publicly advertised in the legal paper of record at least fourteen (14) days prior to the date set for opening. Bid specifications require the approval of the Mayor. Formal bids must be received sealed and in writing by a posted deadline.
- E. All bids shall be opened before the public at a date, time and place designated in the bid request. The Mayor, Town Clerk or their designee and other staff members of the District shall open all bids under dual control. Late bids will not be accepted. Award of purchase or contract requires the approval of the Minersville Town Council.

SECTION 7-403. BUILDING IMPROVEMENTS AND PUBLIC WORKS PROJECTS

- A. If the Town intends to undertake a building improvement or public works project paid for by the Town, the Town shall cause:
 - (1) plans and specification to be made for the building improvement or public works project; and
 - (2) an estimate of the cost of the building improvement or public works project to be made.
- B. If the estimated cost of the building improvement or public works project exceeds the bid limit defined in Section 11-39-101 Utah Code Annotated, as amended, 1953, the District shall either solicit bids in accordance with Section 11-39-103, Utah Code Annotated, as amended, 1953 or elect to comply with the Utah Procurement Code in accordance with Section 11-39-107, Utah Code annotated, as amended, 1953

SECTION 7-404. PROFESSIONAL SERVICE CONTRACTS

- A. Either the Request for Proposal (RFP) or the Request for Qualifications (RFQ) process (or a combination) may be used. The primary difference between the two processes is that in the RFP process a specific proposal is received and evaluated. The proposal includes a scope of work and a cost proposal. In the RFQ process, Statements of Qualifications (SOQs) are received and selection is made upon those qualifications. In this process, a mutually acceptable scope of work and contract amount is negotiated with the successful bidder.
- B. The RFP/RFQ must be approved by the District Manager, must be in writing and must be posted in the District's official posting place, and publicly advertised in the legal paper of record at least fourteen (14) days prior to the date set for opening. Proposals or SOQs must be submitted to the District in a sealed envelope marked with the name of the request as indicated in the instructions.
- C. Proposals shall be opened before the public at a date, time and place designated in the RFP. All proposals shall be opened under dual control by the District Manager, Public Works Director, Finance Director (or their designee) and other pertinent District staff. The proposals shall be analyzed (based upon the "best overall value" to the District) and documented including staff recommendation. Award shall be made by the District Manager including approval of contracts.

Section 2. This Ordinance shall take effect fifteen days after passage or upon publication of a summary of the ordinance, whichever occurs last.

Passed by the Minersville Town Council of MINERSVILLE TOWN this ____ Day of June, 2020, by the following vote:

AYES: _____

Nays: _____

Absent: _____

MINERSVILLE TOWN

Attest:

By _____
Caleb Evans - Mayor

CHERIE WOOD
Town Clerk