

TITLE 3

FISCAL AFFAIRS

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CHAPTER 3.04

PURCHASES

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- 3.04.04 Sell or exchange of supplies, materials or equipment valued at less than Five Thousand Dollars (\$5,000.00)
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3.04.01 One Thousand Dollars (\$1,000.00) or less The Mayor or his duly authorized representative, shall have exclusive power and responsibility to make purchases of all such supplies, apparatus, equipment, materials and other things requisite for public purposes in and for the city of Batesville, Arkansas, and to make all such necessary contracts for work or labor to be done; or material or other things to be furnished for the benefit of the city or in carrying out any work or undertaking of a public nature therein where the total expenditure therefore is One Thousand Dollars (\$1,000.00) or less. (Ord. No. 86-1-3, Sec. 1)

3.04.02 Over Twenty Thousand Dollars (\$20,000.00) Where the amount of expenditure for any purchase or contract exceeds the sum of Twenty Thousand Dollars (\$20,000.00), the Mayor or his duly authorized representative shall invite competitive bidding thereon by legal advertisement in any local newspaper. Bids received pursuant to said advertisement shall be opened and read on the date set for receiving said bids in the presence of the Mayor or his duly authorized representative together with the City Council. The City Council shall have the exclusive power, by majority vote, to award the bid to the lowest responsible bidder, provided however, the Council, by majority vote, may reject any and all bids received. The Mayor shall inform the City Council of all contracts over Five Thousand Dollars (\$5,000.00) where competitive bidding was not taken. (Ord. No. 2008-11-2, Sec. 1.)

3.04.03 Approval of payments The Mayor, or his duly authorized representative, may approve for payment out of any funds previously appropriated for that purpose, or disapprove any bills, debts or liabilities asserted as claims against the city, when funds on hand are adequate to any such bills, debts or liabilities. The payment or disapproval of any bills, debts or liabilities not covered by a previous appropriation shall require confirmation of the City Council.

3.04.04 Sell or exchange of supplies, materials or equipment valued at less than Five Thousand Dollars (\$5,000.00) Pursuant to Act No. 28, Section 7 of the Acts of Arkansas, 1959, as codified as A.C.A. 14-58-306, the Mayor of the city of Batesville, Arkansas, or his duly authorized representative, may sell or exchange any municipal supplies, materials or equipment subject to the following sections of this ordinance. (Ord. No. 983, Sec. 1)

That the Mayor or his duly authorized representative may sell or exchange any municipal supplies, materials or equipment without competitive bidding so long as the value of said municipal supplies, materials or equipment to be sold or exchanged or item or lot to be disposed of as one (1) unit of supplies, materials or equipment does not exceed the sum of Five Thousand Dollars (\$5,000.00). (Ord. No. 84-1-2, Sec. 1)

That prior to any sell or exchange of any municipal supplies, materials or equipment without competitive bidding as provided in this ordinance, the Mayor or his duly authorized representative shall certify in writing to the governing body that in his fair opinion, the fair market value of such item or lot of items is less than the amount established by this ordinance. (Ord. No. 983, Sec. 3)

3.04.05 Waiver of competitive bidding Competitive bidding, whenever it may be required, for the purchase of or contracting for work or labor to be done for the city, may be waived upon a majority vote of the City Council whenever the Council deems such competitive bidding to be not feasible or impractical due to said work or labor being of a scientific, professional or expert character and the City Council therefore determines that anyone certain applicant for the position or work to be done possesses the skill, knowledge, experience, training or education necessary to perform the work to the specifications of the Council. (Ord. No. 911, Sec. 1)

3.04.06 Conduct of business with Council member Pursuant to A.C.A. 14-42-107 as amended by Act 485 of 1981, members of the Batesville City Council shall be specifically permitted to conduct business with the city of Batesville including but not limited to the furnishing of supplies, equipment or services to be performed provided, however, that the Mayor or his authorized agent, the City Council or other person, department or governing body making the purchase or the contract shall first obtain sealed bids and said Councilman will be awarded the contract or right to sell or furnish supplies or services only if he is the lowest bidder.

This ordinance shall not affect the right of the Mayor or his duly authorized agent from making purchases as specified in Section 3.04.01 and Section 3.04.02 of the Batesville Municipal Code but is intended to allow the Mayor or his agent to purchase from or contract with a Councilman only if sealed bids are received; furthermore, this ordinance is intended to allow Councilmen to bid on all items in the manner specified in Section 3.04.02 of the Batesville Municipal Code. (Ord. No. 964, Secs. 1 and 3)

CHAPTER 3.08

UTILITY PURCHASES

Sections:

- 3.08.01 Authority to make purchases of One Thousand Dollars or less
- 3.08.02 Over One Thousand Dollars but not exceeding Two Thousand Dollars
- 3.08.03 Over Two Thousand Dollars

3.08.01 Authority to make purchases of One Thousand Dollars or less The Chairman of the Batesville Utilities Commission, or his duly authorized representative, shall have exclusive power and responsibility to make purchases of all supplies, apparatus, equipment, materials, and other things requisite for purposes of construction, repair, maintenance, building, rebuilding, improving, demolishing, removing, operating, or preparing for operation of the Batesville Water and Sewer Facilities and all associated equipment; and to make and enter into all necessary or desirable contracts for work or labor to be done, or material or things to be furnished for the benefit of the Batesville Utilities Commission in carrying out any work or undertaking associated with the Water or Sewer Department for the use and benefit of the public as defined by local, state and federal law or administrative rule or regulation, where the total expenditure therefore is one Thousand Dollars (\$1,000.00) or less. (Ord. No. 975, Sec. 1)

3.08.02 Over One Thousand Dollars but not exceeding Two Thousand Dollars All purchases of supplies, apparatus, equipment, materials, and other things requisite for construction, repair, maintenance, building, rebuilding, improving, demolishing, removing, operating or preparation for operating of the Batesville Water and Sewer Facilities, contracts for work or labor to be done, material and other necessary things to be furnished to the Batesville Utilities Commission, where the expenditure is greater than One Thousand Dollars (\$1,000.00) but not exceeding Two Thousand Dollars (\$2,000.00), shall be made or contracted for by the Chairman of the Utilities Commission or his duly authorized representative, only after the securing of "bids" therefore; provided, however, purchases of less than Two Thousand Dollars (\$2,000.00) at state bid prices shall be exempt from the provisions of this ordinance. (Ord. No. 975, Sec. 2)

3.08.03 Over Two Thousand Dollars Where the amount of expenditure for any purpose or contract exceeds the sum of Two Thousand Dollars (\$2,000.00), the Chairman of the Utilities Commission or his duly authorized representative shall invite competitive bidding thereon by legal advertisement in any local newspaper. Bids received pursuant to said advertisement shall be opened and read on the date set for receiving said bids in the presence of the Batesville Utilities Commission or its duly authorized representative. The Batesville Utilities Commission shall have exclusive power, by majority vote, to award the bid to the lowest responsible bidder; provided, however, that the Utilities Commission may, by majority vote, reject any and all bids received. (Ord. No. 975, Sec. 3.)

CHAPTER 3.12

CONTRACTS WITH CITY EMPLOYEES

Sections:

- 3.12.01 Authorized
- 3.12.02 Limits

3.12.01 Authorized The Mayor or his designee is hereby authorized to contract with city employees, their family members or their business associates for certain incidental goods and services which are outside the normal range of routine items purchased by the city. (Ord. No. 2009-4-1, Sec. 1.)

3.12.02 Limits This authority is limited to incidental goods and services, the total of which shall not exceed Two Thousand Dollars (\$2,000.00) annually, for any individual city employee, family member or business associate. (Ord. No. 2009-4-1, Sec. 2.)