

ORDINANCE #03092010-4

**AN ORDINANCE TO AMEND THE BRIGHTON MUNICIPAL CODE SECTION 5,
CHAPTER 1, PURCHASING**

WHEREAS, The Town of Brighton, in order to comply with the Laws of the State of Tennessee in regards to Purchasing, and

WHEREAS, The Brighton Municipal Code, Section 5, Chapter 1, shall outline the purchasing policies of the Town of Brighton,

THEREFORE, The Town of Brighton Board of Mayor and Alderman

HEREBY, enacts the following:

CHAPTER 1

PURCHASING

SECTION

5-101. Purchases not exceeding \$5,000.00 (not to exceed \$10,000).

5-102. Purchases exceeding \$5,000.00 (not to exceed \$10,000).

5-103. Exceptions to bidding requirements.

5-101. Purchases not exceeding \$5,000.00 (not to exceed \$10,000). The Purchasing Agent is authorized to make the following purchases whose estimated costs do not exceed \$5,000 without formal sealed bids and written specifications: commonly used items of material, supplies, equipment, and services used in the ordinary course of maintaining and repairing the city's real or personal property; building or maintaining stocks of city material, supplies and equipment used in the ordinary course of city operations; and minor construction, repair or maintenance services. However a record of all such purchases shall be maintained describing the material, supplies, equipment or service purchased, the person or business from whom it was purchased, the date it was purchased, the purchase cost, and any other information from which the general public can easily determine the full details of the purchase. Each purchase shall be supported by invoices and/or receipts and any other appropriate documentation signed by the person receiving payment.

5-102. Purchases in excess of \$5,000.00 (not to exceed \$10,000). The Purchasing Agent is required to make purchases in excess of \$5,000.00 based on written specifications, awarded by written contract let to the lowest responsive and responsible bidder following advertisement for, and the submission of, sealed bids.

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5-103. Exceptions to bidding requirement. The Purchasing Agent is authorized to make the following purchases whose estimated cost is in excess of \$5,000.00 (not to exceed \$10,000) without written specifications or bids:

- (1) Emergency purchases of material, supplies, equipment, or services. However, a report of the emergency purchase, including the nature of the emergency, the material, supplies, equipment, or services purchased, and the appropriate documentation similar to that required under the first subsection above shall be filed with the city commission at its next regular meeting.
- (2) The purchase of unique, special, or proprietary material, supplies, equipment, or services the Purchasing Agent determines is in the best interest of the city to acquire. However, a report of the purchase, including a full description of the material, supplies, equipment, or services purchased, the reason the same is unique, special, or proprietary, the interest of the city served by the purchase, and from whom the purchase will be made shall be filed with the city commission at its regular meeting prior to purchase.
- (3) Purchases of equipment which, by reason of training of city personnel or an inventory of replacement parts maintained by the city, are compatible with the existing equipment owned by the city. However, a full report of the purchase, including a full description of the equipment, an outline of the municipal training or parts inventory factors that made the purchase economically advantageous to the city, and from whom the purchase will be made shall be filed with the city commission at its regular meeting prior to purchase.
- (4) Purchases which can be made only from a sole source. The minimum geography for determining the "sole source" shall be the municipal limits. However, the Purchasing Agent shall have the discretion to enlarge the geography of the sole source to whatever extent he determines is in the economic interest of the city. However, a full report of the purchase, including a full description of the purchase, evidence that the purchase was made legitimately a sole source purchase, and from whom the purchase will be made shall be filed with the city commission at its regular meeting prior to purchase.

First Reading this 9th day of March, 2010.

Second Reading this 13th day of April, 2010.



Mayor



Recorder