



PROCUREMENT POLICY

CHAPTER 142.010

Approved by Board of Aldermen
Resolution 15-659

Revised March 25, 2015

CHAPTER 142: PROCUREMENT POLICY

ARTICLE 1. GENERAL PROVISIONS

SECTION 142.010 PROCUREMENT POLICY PURPOSE

Pursuant to Chapter 142, Section 142.010 of the Municipal Code, the City of Wentzville (hereinafter the “City”) institutes, adopts and will maintain this policy to be known as the Procurement Policy of the City of Wentzville (the “Policy”), governing procurement of supplies, services, equipment and projects. For reference, the Section numbers in this Policy are consistent with the cited section of the Municipal Code.

SECTION 142.010.1 APPLICABILITY

This Policy shall apply to:

- A. Every expenditure of public funds for procurements irrespective of their funding source and dollar amount. When the procurement involves the expenditure of federal funds, state or other stipulated funds, the procurement shall be conducted in accordance with all mandatory applicable federal, state and local laws, regulations and requirements. Nothing in this Policy shall prevent the City from complying with the terms and conditions of any grant, gift, or bequest that is otherwise consistent with law.
- B. Disposal of property; and
- C. Contracts where there is no expenditure of public monies or where the City is offering something of value to the business community when the City determines source selection and award of contract.

SECTION 142.010.2 REQUIREMENT OF GOOD FAITH

This Policy requires all parties in the procurement, negotiation, performance and administration of the City’s Agreements and Procurements to act in good faith and cooperate and collaborate within the Policy.

SECTION 142.010.3 PURCHASE ORDERS WHEN REQUIRED

The City shall obligate funds through the use of Purchase Orders for the procurement of materials, supplies of any dollar amount. Requisitions are required before the issuance of a Purchase Order.

SECTION 142.010.4 REVISION

This Policy shall be subject to revision(s) adopted by the Board of Aldermen at any time by Resolution in accordance with City requirements.

SECTION 142.010.5 VIOLATION OF POLICY

Any employee violating any of the provisions of the Policy may be subject to disciplinary action, up to and including suspension and/or dismissal.

SECTION 142.010.6 EXCEPTIONS

The Board of Aldermen in its sole discretion may waive any of the requirements as stated in this Policy, except where mandated by state or federal law.

SECTION 142.010.7 DEFINITIONS

- A. Procurements: Each method by which the City obtains and contracts for supplies, materials, equipment, commodities, capital outlays, construction, services and professional services, and subsequent agreements.
- B. Supplies: Tangible items purchased or consumed by the City.
- C. Requisition: An internal document by which a City department details the supplies, services, professional services or a material required and also encumbers the funds. The requisition document is converted into a purchase order by the Procurement Department after applicable approvals.
- D. Purchase Order: The City's document used to authorize a purchase transaction with a vendor/contractor/consultant. Purchase Orders are issued through the Procurement Department via the purchasing component of the City financial system.

ARTICLE 2. DELEGATION OF AUTHORITY

SECTION 142.010.8 AUTHORITY, GENERALLY, CITY ADMINISTRATOR

Pursuant to Wentzville/Title 1, Government Code, Chapter 142, agreement and procurement authority is granted by the Board of Aldermen to the City Administrator as follows:

- A. Signature authority on agreements under; \$25,000;

- B. Signature authority on project change orders that are within the Project Contingency Funding Cap as approved by the Board of Aldermen.
- C. Determine in writing that noncompliance with any provision of this policy is non-substantial and may allow for correction or may waive minor informalities or irregularities. The basis of this decision shall be included in the written determination.
- D. The City Administrator may delegate signature authority to designee as necessary.

SECTION 142.010.9 DELEGATION OF AUTHORITY

- A. The Mayor is delegated signature authorization as approved by the Board of Aldermen for agreements of \$25,000 or greater. The President of the Board of Aldermen is authorized to sign as the Mayor's designee.

SECTION 142.010.10 RESOLUTIONS OR ORDINANCES ARE REQUIRED

Resolutions are required for all agreements to be approved by the Board of Aldermen. Approval of intergovernmental agreements requires an ordinance to be approved by Board of Aldermen, MO Statute 70.220, and 70.230.

SECTION 142.010.11 AGREEMENTS REQUIRING BOARD OF ALDERMEN APPROVAL

- A. Agreements and Purchases of \$25,000 or greater;
- B. All Multi-year Agreements of \$25,000 or greater annually;
- C. Grant Awards which include a future monetary commitment of City funding over \$25,000;
- D. Project change orders when the dollar value will exceed the Project Contingency Funding Cap as approved by the Board of Aldermen;
- E. Surplus assets and trade-ins with an estimated current value of \$10,000 or greater;
- F. Any proposed procurement action deemed necessary by the City Administrator.

ARTICLE 3 PROCUREMENT ORGANIZATION

SECTION 142.010.12 The Procurement Department has the responsibility of providing goods and services, either by providing the services for such procurement or by providing functional direction to others delegated with the authority to perform such

functions. Except as otherwise specifically provided in this Policy, the Director of Procurement is authorized and directed to do the following:

1. Procure or supervise the procurement of all materials, services, professional services and construction following the correct methods of solicitation.
2. Coordinate purchasing within the framework of any statutes, regulations and/or procedures as applicable.
3. Use variety of Procurement Methods to secure quotes, bids, proposals or other for the purpose of obtaining pricing, proposals, qualifications or information.
4. Through cooperation from all employees and directors of the City, review, prepare and adopt written specifications that permit competition.
5. Conduct administrative review of solicitation responses. Evaluate responses as needed.
6. Have signature authority on purchase orders.
7. Ensure an atmosphere that is fair and ethical for all who do business with the City. Discourage collusive or restrictive bidding and endeavor to obtain as full and open competition as possible.
8. Develop and track contracts and perform associated actions such as time extensions, amendments, change orders, liquidated damages, non-renewals, terminations within contracts, and route and approve for execution; and obtain all necessary signature approvals from the City Administrator or designee, and Mayor.
9. Electronically post bids on the City's website and other media as needed or appropriate.
10. Keep a file of written bids and proposals received and forward contract documents to City Clerk with originals and copies for document retention.
11. Ensure compliance with this Policy by implementing procedures to review and monitor purchases and contracts through contract administration.
12. Obtain all necessary forms and documentation from suppliers and issue Notice of Award letters and inform department Directors of next procurement step.
13. Evaluate and mitigate risks in procurement agreements.
14. Provide formal or informal training to all departments on this Policy, related procedures, Procard and other Policy provisions. Provide training for Procurement staff from private and professional procurement organizations and other organizations to remain current in the field.
15. Sell, trade or otherwise dispose of surplus materials belonging to the City.
16. Manage the City's procurement credit card (Procard) program.
17. Prepare and maintain procedures and forms as are reasonably necessary for the operation of this Policy.
18. Prepare, adopt and maintain a supplier's database.

19. Report immediately to the City Administrator any suppliers who default in their qualifications and any irresponsible proposers, and make recommendations to the City Administrator for the disqualification of any suppliers and proposers from receiving any business from the City for a stated period of time.
20. Keep informed of current developments in the field of Procurement, prices, market conditions and new products and secure for the City the research done in the field of Procurement by other governmental jurisdictions, national organizations and by private businesses and organizations.
21. Explore the possibility of buying collectively so as to take full advantage of prices and discounts whether for the City alone or with cooperating agencies.
22. Recommend to the City Administrator and, with the consent of the Board of Aldermen, revisions or amendments to this Policy.

ARTICLE 4 SOURCE SELECTION AND CONTRACT FORMATION

SECTION 142.010.13 BID THRESHOLDS:

All processes in all bid thresholds shall be followed except for additional processes as required by law and in those instances; the Procurement Department will lead those procurements and those legal requirements will be followed. Additional processes may include, prevailing wage, e-verify, insurance, etc.

Type and Definition	Process Required
No Bid Purchase \$0 - \$2,999.99: Those purchases of supplies, materials, equipment, commodities or services not covered by a written contract.	Does not require competitive quotes or bids.
Small Purchase \$3,000.00 - \$4,999.99: Purchases for supplies, materials, equipment, services, and commodities that do not require a sealed bid, public opening or public reading of bids	Requires that competitive quotes are obtained by Using Department or Procurement Department. Strive for 3 quotes.
Informal Method \$5,000.00 - \$14,999.99: Purchases for supplies, materials, equipment, services, and commodities that do not require a sealed bid, public opening or public reading of bids, however, may require additional documents and a written contract.	Requires competitive quotes or proposals be solicited by the Procurement Department.
Formal Method \$15,000.00 and greater: Purchases for supplies, materials, equipment, commodities and services that do require a publicly advertised sealed bid process	Requires competitive sealed bids, proposals or requests for qualifications be publicly advertised and solicited by the Procurement Department.

SECTION 142.010.14 EXEMPTIONS FROM THE COMPETITIVE BID PROCESS

The following purchases are exempt from the competitive bid requirements:

1. Travel – commercial transportation, mileage, meals and lodging
2. Utilities
3. Postage
4. Organization memberships and other individual professional development
5. Single Feasible Source Purchases
6. Insurance Claim Estimates
7. Purchases \$2,999.99 and less

SECTION 142.010.15 METHODS OF PROCUREMENT

No Bid Purchase: A no bid purchase is for purchases of supplies, materials, equipment, commodities or services not covered by a written contract. Competitive quotations are not required; however, employees are encouraged to obtain quotes.

Small Purchase: A small purchase is for purchases from \$3,000 -\$4,999.99 and requires competitive quotes either by using Departments or the Procurement Department. Strive for 3 quotes.

Informal Method: An informal competitive process that does not require sealed bids and has an estimated value of \$5,000-\$14,999.99. Responses submitted by proposers may be mailed, e-mailed, or faxed and are requested to be received prior to end of solicitation period:

- A. Public notice/posting of bid is not required.
- B. Facsimile or E-mail price quotations/bids are permissible.
- C. Proposers must be given at reasonable time to respond prior to the due date.
- D. The City is to award to the lowest, responsive, responsible proposer. The City reserves the right, in its sole discretion, to reject any or all quotations, and to waive technicalities or deficiencies in any or all of the bids.
- E. Orders may not be intentionally split to by-pass the Procurement Policy.

Formal: Purchases valued at \$15,000.00 and greater shall require solicitation by the Procurement Department using procurement instruments such as Invitation for Bids, Request for Proposals, and Request for Qualifications, unless otherwise expressly provided in this Policy. The following is a list of requirements:

A. Competitive Sealed Bids

1. **Invitation for Bid Requirements.** Invitation for Bids in this category shall require that a public notice be given and the solicitation shall allow reasonable

time for responses prior to the due date. Invitation for Bids shall also comply with any legal requirements.

2. **Distribution of Invitations for Bids.** The Procurement Department will use method(s) of distribution to interested parties, which are reasonably available. Such notice may include electronic posting of bids, electronic mailing lists, web sites designated and maintained for such notification and newspapers of general circulation if required.
3. **Bid Addenda.** Written addenda to formal solicitations shall be issued by the Procurement Department and posted electronically or made publicly available in the same manner as the initial solicitation.
4. **Communication Related to Formal Bids.** Authorized communication during formal solicitations will be described in the bid document. All City communications will be in writing. Any discussion during the bid process must be documented and forwarded to the Procurement Department in time for analysis and release of addenda, if applicable.
5. **Bid Rejections.** The City reserves the right, in its sole discretion, to reject any or all bids, and to waive technicalities or deficiencies in any or all of the bids
6. **Bid Specifications.** Specifications shall not restrict competition, nor be biased or advantageous to one proposer. If Suppliers' specifications are utilized during the development of specifications, this information shall be disclosed to the Procurement Department. The solicitation document will disclose all Suppliers whose specifications were used in development of the specifications.
7. **Public Opening.** There shall be a public bid opening for all Invitation for Bids in the formal bid process.
8. **Bid Evaluation & Acceptance.** Bids shall be evaluated based on the criteria and requirements set forth in the Invitation for Bids. The City is to award to the lowest, responsive, responsible proposer.
9. **Contract Formation.** Contracts related to this process shall be awarded through an appropriate approval process and shall include written notice in the form of a Notice of Award issued by the Procurement Department

B. Competitive Sealed Proposals. When competitive sealed bidding is either not practical or not advantageous to the City, the City may use the competitive sealed proposals method.

1. **Request for Proposal Requirements.** When using a Request for Proposal, it shall require that a public notice be given and the solicitation period shall

allow reasonable time for responses prior to the due date. Request for Proposals shall also comply with any legal requirements.

2. **Distribution of Requests for Proposals.** The Procurement Department will use method(s) of distribution to interested parties, which are reasonably available. Such notice may include electronic posting of bids, electronic mailing lists, web sites designated and maintained for such notification and newspapers of general circulation if required.
3. **Addenda to Proposals.** Written addenda to formal solicitations shall be issued by the Procurement Department and posted electronically or made publicly available in the same manner as the initial solicitation.
4. **Communication Related to Proposals.** Authorized communication during formal solicitations will be described in the bid document. All City communications will be in writing. Any discussion during the bid process must be documented and forwarded to the Procurement Department in time for analysis and release of addenda, if applicable.
5. **Receipt of Proposals.** Proposals shall be received and opened so as to avoid disclosure of the contents of any proposal to competing proposers.
6. **Proposal Evaluation.** The Request for Proposals will clearly state the evaluation factors, including the relative importance of performance, cost and other factors.
7. **Evaluation Committee:** The Evaluation Committee is comprised of at least the using department Director or designee, and one representative from the Procurement Department. The focus of the evaluation committee is to evaluate proposals based on the criteria in paragraph 6 above.
8. **Negotiation of Scope and Fees.** Negotiations concerning compensation and scope of services may be conducted as prescribed in the solicitation document.
9. **Proposal Award.** Award shall be made to the proposer whose proposal is determined to be the most advantageous to the City, taking into consideration price and the evaluation criteria set forth in the Request for Proposals. The procurement file shall contain the basis on which the award is made.
10. **Debriefings.** Debriefings may be conducted to furnish the basis for the source selection decision and contract award, if requested by proposers.

C. Cancellation of Invitations for Bids or Requests for Proposals. An Invitation for Bids, a Request for Proposals, or other solicitation may be cancelled, or any or all bids or proposals may be rejected in whole or in part as may be specified by the solicitation, when it is in the best interest of the City.

SECTION 142.010.16 OTHER PROCUREMENT METHODS

A. Single Feasible Source Purchases

1. Purchases for supplies, equipment and services with a dollar value up to \$25,000 may be made when the Procurement Department determines, in writing, that there is only one source for the required supplies, equipment or services. Single Feasible Source Purchases may exist when:
 - a. Proprietary situation exists with a single manufacturer or distributor;
 - b. Based on past procurement experience it is determined that a single distributor or service provider exists within the City's regional market;
 - c. Warranties may be voided;
 - d. Unique situation exists when matching equipment and systems are required by, or in the best interests of, the City;
2. The requesting Department must provide Procurement Department with supportive documentation justifying the single source determination with each purchase requisition.
3. The Procurement Department will seek the City Administrator's authorization based on determination for purchases with a value less than \$25,000 with appropriate documentation.
4. Single Feasible Source Purchases with a value of \$25,000 or greater require Board of Aldermen Approval.
5. Single Feasible Source Determinations will be reviewed annually or by contract term.

B. Emergency Procurement, Waiver of Competitive bids or proposal

The City Administrator may waive the requirement of competitive bids or proposals for supplies when the City Administrator or designee has determined that there exists a threat to life, property, public health or public safety or when immediate expenditure is necessary for repairs to City property in order to protect against further loss of, or damage to, City property, to prevent or minimize serious disruption in City services.

The City Administrator or designee is empowered to authorize the Director of Procurement or designee, to secure an open market procedure at the lowest obtainable price, any supplies or contractual service regardless of the amount of expenditure. The Director of Procurement will work with the Finance Director for funding the emergency purchase.

Emergency procurements shall be made with as much competition as is practicable under the circumstances.

A written determination of the basis of the emergency and for the selection of the particular contractor shall be included in the contract file by the Director of Procurement and be given to the City Administrator. The City Administrator shall report the emergency purchase if over \$25,000 to the Board of Aldermen at the next scheduled Board of Aldermen meeting for informational purposes only.

C. Cooperative Contracts

The City may join with other units of government or other governmental agencies or authorities or national or local cooperative organization in cooperative purchasing when it would serve the best interest of the City.

D. Procurement Card (Procard)

The Procurement Card is a procurement instrument that has restrictions and controls and is used mainly by authorized City personnel for low dollar purchases or supplies. Recurring low dollar supplies under a blanket order agreement may be purchased with a Procard.

ARTICLE 5 SPECIFICATIONS

SECTION 142.010.17 DEFINITIONS:

Specification: Means any description of the physical or functional or performance characteristics, or the nature of a supply, service, or construction item. It may include a description of any requirement for inspecting, testing or preparing a supply, service or construction item for delivery.

SECTION 142.010.18 SPECIFICATIONS

- A. Use of Functional or Performance Descriptions.** Specifications shall, to the extent practicable, emphasize functional or performance criteria while limiting design and other detailed physical descriptions to those necessary to meet the needs of the City. To facilitate the use of such criteria, the City shall endeavor to include as part of the specifications the principal functional or performance needs to be met.
- B. Maximum Practicable Competition.** All specifications shall seek to promote overall economy for the purposes intended and encourage competition in satisfying the City's needs, and shall not be unduly restrictive.
- C. Authority to Review.** The Director of Procurement has the authority to prepare specifications, review and make recommendations for changes to specifications received from using department.

D. Scope of Services (SOS)

1. The SOS is to outline the services to be received. The SOS is to include the purpose of the agreement and the intended services that are expected to be accomplished within any established time frame.
2. Specifications and SOS prepared by other than City personnel.
The requirements of this Article regarding the purposes and non-restrictiveness shall apply to all specifications and SOS prepared other than by the City personnel, including but not limited to, those prepared by architects, engineers and designers.

SECTION 142.010.19 PROCUREMENT OF PROFESSIONAL SERVICES

A. Architectural, engineering, land surveying services. Pursuant to RSMo 8.285 to 8.291, the City shall negotiate contracts for architectural, engineering and land surveying services on the basis of demonstrated competence and qualifications for the type of services required and at fair and reasonable prices.

B. Construction Management Services. Pursuant to RSMo 8.675- 8.687, Construction Management Services shall be advertised and solicited when the City determines that a Public Work project should be performed with a negotiated contract for Construction Management Services.

C. Evaluation Committee.

The Evaluation Committee is comprised of the using department Director or designee, Director of Procurement as the Chair, one representative from the Procurement Department as an evaluator and other individuals determined by the department Director. The role of the Chair may or may not evaluate proposals/qualifications, but has overall responsibility for all matters involving the procurement and its procedures and responsible for seeing that all applicable state laws, rules and policies are followed. The focus of the evaluation committee is to evaluate statements of qualifications based on the criteria in 142.010.20.D.

D. Evaluation Criteria. As detailed in RSMo Section 8. 285. To 8.291, in evaluating the qualifications of each firm, the City shall use the following criteria:

- 1.The specialized experience and technical competence of the firm with respect to the type of services required;
- 2.The capacity and capability of the firm to perform the work in question, including specialized services, within the time limitations fixed for the completion of the project;
- 3.The past record of performance of the firm with respect to such factors as control of costs, quality of work, and ability to meet schedules;
- 4.The firm’s proximity to and familiarity with the area in which the project is located.

SECTION 142.010.20 SPECIAL CONTRACTUAL REQUIREMENTS

A. General

If a solicitation or resulting contract has special contractual requirements, those requirements will be detailed in the solicitation document.

B. Performance/Payment Bonds

A vendor awarded a contract may be required to furnish a performance security deposit in the form of an original bond issued by a surety company authorized to do business in the State of Missouri (no copy or facsimile is acceptable), bank draft or irrevocable letter of credit prior to fully implementing services. If required, this information is published in the solicitation document. Performance/Payment Bonds are required for public works contracts when the project dollar value is \$50,000 or greater.

C. Bid Security Bond

The bid security bond is required for construction or non-professional services when the purchase level is \$50,000 or greater. The bid security bond shall be 5% of the bid amount or \$500.00, whichever is greater.

D. Insurance

All contracts between the City and a Contractor shall state that Contractor shall include the City as “additional insured” during the term of the contract. Workers Compensation amount and type shall be in full compliance with applicable statutory requirements, and Employer Liability Coverage limits is to be provided consistent with any applicable legal requirements. Commercial General Liability and Comprehensive Automobile Liability coverage are to be in the amount equal to the sovereign immunity limits for Missouri public entities as calculated and published in Section 537.610 RSMo.

E. Prevailing Wage Requirements

Subject to prevailing wage requirements, only for those projects required by State law, the vendor must comply with Section 290.250 RSMo by paying to all personnel employed for applicable services actually provided under the contract not less than the prevailing wage hourly rate of wages as determined by the Department of Labor and Industrial Relations, Division of Labor Standards, specified in the current wage order for St. Charles County. If a project qualifies for prevailing wage, pertinent information will be in the solicitation document.

F. Non-Collusive Affidavit of Prime Vendor

The proposer, by completing the document, confirms that the submitted bid is genuine and is not collusive or a sham bid; and that all statement made and facts set out in the submission are true and correct.

G. E-Verify, Federal Work Authorization

Pursuant to RSMo 285.530, if the Vendor meets the definition of RSMo 285.525 of a “Business Entity”, the Vendor must affirm its enrollment and participation in the E-Verify federal work authorization program with respect to its employees hired after enrollment in the program who are proposed to work in connection with the services the City is bidding / contracting. The document is required for services when the awarded dollar value is equal or greater than \$5,000.00.

H. OSHA Training Program

Contractors on public works projects shall comply with all requirements of Section 292.675, RSMo., regarding completion of a construction safety program by all employees on the project.

I. Americans with Disabilities Act (ADA)

All solicitations related to construction, renovations and public accessible areas require compliance with the applicable requirements and provisions of the ADA.

K. Local Award

- A. For all purchases valued below \$5,000, if there are at least two local proposers, the City will purchase the goods from a local proposer. A local proposer is defined as having a City Business license as required by Section 605.040 of the Wentzville Municipal Code.
- B. For supplies and equipment for bids exceeding \$25,000, in which a local proposer meets all specifications, and is within 5% of the lowest, responsive, responsible proposer, and is willing to match the same price, terms and conditions, the award will go to the local proposer unless otherwise provided or required by law. A local proposer is defined as having a City Business License.

L. Invoicing and Payments.

Each solicitation’s terms will describe the invoicing and payment method. The City’s invoicing term is net 30, no sooner than 30 days.

ARTICLE 6 SURPLUS AND DISPOSAL

SECTION 142.010.21 PROPERTY DISPOSAL

A. Definitions in this Section.

1. Excess Supplies means any supplies other than expendable supplies having a remaining useful life but which are no longer required by the City.
2. Surplus Assets means any assets no longer having any use to the City which have completed their useful life, including scrap materials.

B. General

The City is required to maximize the use of all assets and when assets have reached their operational life cycle; the City is to maximize returns via the sale of those assets. The Director of Procurement is to ensure the excess property generated by the City will be handled in a method that both maximizes the return to the City and meets the disposal requirements of the City, State, and Federal regulations. The property will be redistributed to other departments if usable. The Procurement Director, City Administrator must sign all surplus documents.

1. All assets that have become obsolete or unusable with an estimated current value of less than \$10,000 as surplus property or scrap materials should be disposed of and arranged for auction, transfer, disposal or the competitive sale of the surplus by the Procurement Department.
2. The assets that have become obsolete or unusable with a dollar value of \$10,000 or greater require the Board of Aldermen approval to declare the property as surplus property and authorize the sale of the property.
3. Methods of Disposal.
 - a) Selling the property via online auction or other auction services.
 - b) Selling the property via the sealed bid process.
 - c) Offering the property to other political subdivisions and their departments.
 - d) Selling the property as scrap.
 - e) Disposal through regulated disposal.
 - f) Trade-in for other equipment or supplies
4. The Procurement Department is responsible for the sale and disposal of all property.
5. The Procurement Department will notify the City Clerk's Office and the Finance department of any transfer, sale, or disposal of surplus assets.

ARTICLE 7 MISCELLANEOUS

SECTION 142.010.22 RECORDS

All bids, specifications, reports, contracts and all records of purchases and disposals made by the Procurement Department shall be maintained by the Procurement Department and shall be open to inspections by the public as prescribed in Missouri State Statutes, Chapter 610.

SECTION 142.010.23 COMPLIANCE AUDITS

Procurement documents such as contracts and purchase orders will be audited to ensure compliance with the Procurement Policy and agreements.

SECTION 142.010.24 ETHICS

The Procurement Department shall endeavor to be fair and ethical in all dealings with vendors. Refer to the Chapter 125 City's Code of Ethics as it pertains to procurement.

A. Conflict of Interest

No employee, elected or appointed official, or their immediate families may participate in a procurement award selection process when the employee, elected or appointed official, or immediate family has a financial interest in the firm supplying the goods and services.

No elected or appointed official or employee, shall sell, rent, or lease any property to the City for consideration in excess of \$500.00 per annum unless the transaction is made pursuant to an award on a contract let or a sale made after public notice and in the case of property other than real property, competitive bidding, provided that the bid or offer accepted is the lowest received.

B. Disclosure

Personnel involved in the procurement evaluation and award process of a contract or purchase are not permitted to participate in the procurement process if a proposer and the staff member have a private business and/or family relationship, and shall disclose this information to the City Administrator and the Procurement Department.

C. Gratuities or Gifts

It is expressly prohibited for an employee to accept anything with a value of over \$25.00, or multiple items having an aggregate value over \$25.00 per quarter, from a contractor, vendor, or person providing or seeking to provide services/materials to the City, or person with a pending matter before the City, including not only tangible items and money, but also discounts that are not available to the general public. Refer to 125.080 of the City's Code of Ethics.

