



Legislation Details (With Text)

File #: Item # 2019-43 **Version:** 1 **Name:**

Type: Ordinance **Status:** Second Reading

File created: 2/14/2019 **In control:** Town Council

On agenda: 4/17/2019 **Final action:** 4/17/2019

Title: AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AMENDING SECTION 24-43 OF THE TOWN CODE, "PURCHASES OF MORE THAN \$5,000.00 BUT LESS THAN \$25,000.00;" PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE. (*previously deferred per March 20, 2019 Regular Town Council Meeting to date certain April 17, 2019 Regular Town Council Meeting)

Sponsors: Sue Ellen Loyzelle

Indexes:

Code sections:

Attachments: 1. Council Memo-2nd Reading-Amending Section 24-43 Purchasing Guidelines, 2. Council Memo-2nd Reading-Attachment A-Advertisement, 3. Ordinance-2nd Reading-Amending Section 24-43 Purchasing Guidelines, 4. Council Memo-1st Reading-Amending Section 24-43 Purchasing Guidelines, 5. Ordinance-1st Reading-Amending Section 24-43 Purchasing Guidelines

Date	Ver.	Action By	Action	Result
4/17/2019	1	Town Council	approved on second reading	Pass
3/20/2019	1	Town Council	deferred	Pass
2/20/2019	1	Town Council	approved on first reading	Pass

MEMORANDUM

To: Honorable Mayor and Town Council

From: Sue Ellen Loyzelle, Vice Mayor

Date: April 17, 2019

Re: Amending Section 24-43 of the Town Code Purchasing Guidelines
*(Second Reading) *previously deferred per March 20, 2019 Regular Town Council Meeting to date certain April 17, 2019 Regular Town Council Meeting*

** Changes between 1st and 2nd reading are highlighted in yellow double strikethrough/ double underline*

REQUEST

AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AMENDING SECTION 24-43 OF THE TOWN CODE, “PURCHASES OF MORE THAN \$5,000.00 BUT LESS THAN \$25,000.00;” PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE. (previously deferred per March 20, 2019 Regular Town Council Meeting to date certain April 17, 2019 Regular Town Council Meeting*)**

BACKGROUND AND ANALYSIS

The Town of Cutler Bay maintains purchasing guidelines that are codified in Chapter 24 of the Town Code. Pursuant to Chapter 24, Article II, Section 24-43, the Town Manager is authorized to purchase or contract, without Town Council approval, for materials, supplies, equipment, improvements or services where the total amount expended is in excess of \$5,000.00, but which is less than \$25,000.00, provided that three (3) competitive quotations are obtained.

Section 24-66 of the Town Code identifies sole source availability as an exemption from the competitive formal bidding process, upon filing a written request by the Town Manager outlining the conditions and circumstances involved. I am requesting to amend Section 24-43 of the Town Code, to allow the Town Manager to request a waiver of the requirements of this section, of obtaining three (3) quotes. The Town Manager may waive the requirements of this section where the Town Manager has made a written recommendation that, based on specific circumstances, there is Sole-Source availability or it is impractical to comply with the requirements of this section for a specific purchase. The Town Manager will forward the written recommendation to the Town Attorney for confirmation.

RECOMMENDATION

It is recommended that the Town Council adopt the attached Ordinance amending Chapter 24, Article II, Section 24-43 of the Town Code, authorizing the Town Manager to waive the requirements of obtaining three (3) quotes when there is a sole source availability or it is impractical to comply with the requirements.

ATTACHMENTS

- Attachment “A” - Advertisement Miami Herald (*dated April 7, 2019*)