

AN ORDINANCE AMENDING THE TWIN OAKS PURCHASING POLICY, CHAPTER 145
OF THE TWIN OAKS MUNICIPAL CODE

**BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF TWIN
OAKS, MISSOURI, AS FOLLOWS:**

Section 1: Section 145.020, entitled "Purchasing Agent," is hereby amended to add the following underlined text, and delete the ~~struck-through~~ text, to read as follows:

Section 145.020 Purchasing Agent

A. The ~~City Clerk~~ **Mayor** shall act as the Purchasing Agent. The Purchasing Agent shall, in accordance with and subject to the rules, regulations and procedures in this Chapter and all applicable laws and ordinances:

1. Direct, supervise and be responsible for the procurement and acquisition of all materials, supplies and equipment, all contractual services and all insurance required by the City;
2. Verify that all vendors and contractors of the City have the appropriate insurance coverage;
3. Sell or dispose of all obsolete or unusable personal property of the City under five thousand dollars (\$5,000.00) depreciated value. A list shall be presented to the Board of Aldermen of all obsolete or unusable personal property of the City whose original value was greater than two hundred fifty dollars (\$250.00);
4. Forward all purchases and contracts over five thousand dollars (\$5,000.00) to the Board of Aldermen for final approval.

Section 2: Section 145.040, entitled "Purchases Less Than \$5,000.00," is hereby amended to add the following underlined text, and delete the ~~struck-through~~ text, to read as follows:

Section 145.040 Purchases Less Than \$5,000.00.

Purchases of less than five thousand dollars (\$5,000.00) may be authorized by the ~~City Clerk~~ **Purchasing Agent**, and the Board of Aldermen shall be notified of each purchase in excess of two hundred fifty dollars (\$250.00). Purchasing should follow best practices in ensuring competitive pricing.

Section 3: Section 145.050, entitled "Purchases From \$5,000.00 To \$10,000.00," is hereby amended to add the following underlined text to, and delete the ~~struck-through~~ text from, Subsection A to read as follows:

Section 145.050 Purchases From \$5,000.00 To \$10,000.00.

- A. For purchases from five thousand dollars (\$5,000.00) to ten thousand dollars (\$10,000.00), the ~~City Clerk~~ **Purchasing Agent**, or his or her designee, shall solicit at least three (3) quotes for the item or items which may be solicited and returned either online and/or by hard copy.

Section 4: Section 145.060, entitled "Purchases Greater Than \$10,000.00," is hereby amended to add the following underlined text to, and delete the ~~struck-through~~ text from, Subsections A, B, C, and E to read as follows:

Section 145.060 Purchases Greater Than \$10,000.00.

- A. Whenever any contemplated purchase or contract for services is reasonably anticipated to cost more than ten thousand dollars (\$10,000.00), the ~~City Clerk~~ Purchasing Agent shall cause to be published on the Twin Oaks website and in an issue of the St. Louis Edition of The Countian, or other newspaper, a notice inviting sealed bids. The notice shall include a general description of the articles to be purchased or the scope of services to be performed and the time and place for opening of sealed bids. At the direction of the ~~City Clerk~~ Purchasing Agent a prebid meeting may be held for the purposes of explaining and answering questions with respect to the scope of the project. In addition, when practicable, the notice shall be sent to at least three (3) responsible prospective suppliers of the item to be purchased or services to be performed. Bid packets will be available in hard copy at the City office and/or electronically until the date set for the receipt of the bids. Inadvertent omission by the City of any of the steps set forth herein shall not invalidate the bidding process.
- B. Sealed bids shall be received at the City office and shall be identified as bids on the envelope. The bids shall be opened in public at the time and place stated in the invitation to bid before at least two (2) City witnesses; and after the opening, the ~~City Clerk~~ Purchasing Agent shall tabulate all bids received and shall file a written report of the bids with the Board of Aldermen together with his/her written recommendations as to whom the City should award the contract.
- C. When deemed necessary by the ~~City Clerk~~ Purchasing Agent, bid deposits shall be prescribed in inviting bids. A successful bidder shall forfeit any surety required by the City upon failure on the bidder's part to enter into a contract within ten (10) days after the award, and the invitation to bid shall so state. An unsuccessful bidder shall be entitled to return of his/her surety.

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- E. Upon Board approval, the ~~City Clerk~~ Purchasing Agent shall award the contract to the lowest responsible bidder, but the Board of Aldermen reserves the right to reject any and all bids.

Section 5. Section 145.070, entitled "Exceptions to The Purchase Policy," is hereby amended to add the following underlined text to, and delete the ~~struck-through~~ text from, Subsection A, B, C, and D to read as follows:

Section 145.070 Exceptions To the Purchase Policy

- A. Single-Source Purchases. In the event there is only one (1) acceptable vendor capable of furnishing a particular service or commodity, the ~~City Clerk~~ Purchasing Agent may be authorized to procure such service or commodity without bidding. The ~~City Clerk~~ Purchasing Agent shall document the particular facts which make the item a single-

source purchase. Such purchase must have Board of Aldermen approval if greater than five thousand dollars (\$5,000.00).

- B. Emergency Purchases. Where an emergency situation requires immediate purchase of supplies or services and time is of the essence, the ~~City Clerk~~ Purchasing Agent is authorized to procure the supplies or services needed without following the bidding procedures. The Board of Aldermen will be notified at its next regular meeting.
- C. Situations Calling For Competitive Negotiations. Where it can be demonstrated that the City receives the best value on a purchase through informal discussion and bargaining rather than through the conventional bidding process, the ~~City Clerk~~ Purchasing Agent need not follow the conventional bidding process exclusively. Such purchases shall be documented by the ~~City Clerk~~ Purchasing Agent and given prior approval by the Board of Aldermen. Examples would include, but not be limited to, circumstances where time is a crucial factor, when the procurement involves high-technology items or when there is obvious inherent economy in purchasing from a particular vendor.
- D. Cooperative Purchasing. The purchasing procedures established shall not apply to purchases made by, through or with the Division of Procurement of St. Louis County or any other governmental agency or unit with whom the City is permitted to engage in cooperative purchasing. The ~~City Clerk~~ Purchasing Agent has the authority to join with any other governmental unit, including U.S. Communities, Government Purchasing Alliance, in cooperative purchasing when the best interests of the City shall be served by such cooperative purchasing.

Section 6: Section 145.100, entitled "Purchase of Goods, Supplies And Services," is hereby amended to add the following underlined text, and delete the ~~struck through~~ text, to read as follows:

Section 145.100 Purchase of Goods, Supplies And Services.

Whenever possible in the purchasing of goods, supplies and services for use by the City of Twin Oaks, Missouri, the ~~City Clerk~~ Purchasing Agent is encouraged and urged, to the greatest extent possible, to purchase such goods, supplies and services from businesses located within the boundaries of the City of Twin Oaks, Missouri, as long as the costs of said items are within ten percent (10%) of the prices for these same items offered elsewhere.

Section 7: Section 145.110, entitled "Credit Card Policy," is hereby amended to add the following underlined text to, and delete the ~~struck through~~ text from, Subsection E to read as follows:

Section 145.110 Credit Card Policy.

- E. Receipts. Credit card receipts must be submitted to the ~~City Clerk~~ Purchasing Agent or his/her designee and must include supporting documentation, which clearly show what goods and services were purchased using the credit card.

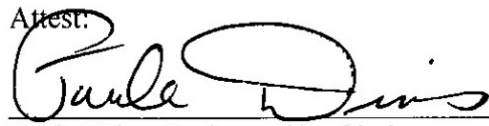
Section 8: This ordinance shall be in full force and effect on and after its passage and approval by the Mayor.

PASSED AFTER HAVING BEEN READ IN FULL OR BY TITLE TWO TIMES PRIOR TO
PASSAGE BY THE BOARD OF ALDERMEN OF THE CITY OF TWIN OAKS, MISSOURI,
THIS 1st DAY OF MAY 2024.

A handwritten signature in black ink, appearing to read "Russ Fortune", written over a horizontal line.

Russ Fortune, Mayor

Attest:

A handwritten signature in black ink, appearing to read "Paula Dries", written over a horizontal line.

Paula Dries, Assistant City Clerk