

BEFORE MUNICIPAL COUNCIL OF THE MUNICIPALITY OF MONEOREVILLE

AN ORDINANCE OF MUNICIPAL)
COUNCIL OF THE MUNICIPALITY OF)
MONROEVILLE AMENDING THE) Ordinance No. 1520
ADMINISTRATIVE CODE BY)
PROCEDURES FOR COMPETITIVE)
BIDDING)

AND NOW, on April 8, 1986, it is ORDAINED

AND ENACTED by the Municipal Council of the Municipality of
Monroeville

as follows:

Section 1: The Administrative Code, Ordinance No. 1510, Chapter 201, is amended by adding thereto Section 6, entitled "Procedure for Competitive Bidding" having as language thereof the language of the attachment.

Section 2: Ordinance No. 1510, as amended, is hereby re-enacted and any Ordinance, or part of an Ordinance in conflict with any of the provisions of this Ordinance is hereby repealed to the extent of such conflict.

MUNICIPALITY OF MONROEVILLE

Attest:

By Washington C. Altman By William C. ...

ENTERED INTO LEGAL BOOK ON: _____

Section 6.

Procedure for Competitive Bidding. The following Procedure for Competitive Bidding is hereby established pursuant to Section 1402 (a) of the Home-Rule Charter.

- A. When Competitive Bids are Required. The Competitive Bidding Procedure, as provided herein, shall be followed as required by the Home-Rule Charter or as required by Council, or as required herein.
- B. Matters Requiring Competitive Bids. Competitive Bids shall be required for any contract in excess of (\$4,000.00) for supplies, material, labor, franchise, or other valuable consideration to be furnished to, or by, the Municipality except for:
- (1) Labor or services rendered by any Municipal Officer or Employee in payment for services
 - (2) Contracts for labor, material, supplies or services available from only one vendor
 - (3) Contracts relating to the acquisition or use of real property
 - (4) Contracts for insurance and professional or unique services (although such contracts do not require Competitive Bids, the same shall not be entered into except after publication of notice and the request of proposals for the same).
 - (5) Contracts for emergency repair of public works of the Municipality
 - (6) Contracts with other Governmental entities, authorities, agencies, or political subdivisions
- C. Advertising, Media and Frequency. (1) Requests for bids shall be published in at least one newspaper of general circulation within the Municipality, at least three times at intervals of not less than three days where daily newspapers of general circulation are available for such publication, or in the case of weekly newspapers, publication shall be once a week, for two consecutive weeks. (2) The first advertisement shall be published not less than 10 days prior to the date fixed for the receipt of bids by the Municipality.

(3) Additionally, request for bids shall be solicited through trade publications or newspapers of more general circulation, or through direct mailings to vendors if required by Council, or if deemed to be appropriate by the Manager.

D. Advertising Content. The content of required advertising shall include; (1) a description of the contract or matter for which competitive bids are requested, (2) the deadline by which bids are to be received together with the place where the bids are to be received, (3) the date, time and place where detailed specifications, if any, may be viewed or obtained. (4) the date, time and place of the opening of the bids and (5) the fact that a bid bond in the sum of 10% of the bid must be received with the bid and whether a performance bond labor and material on bond and insurance will be required as a condition to awarding a contract or matter to the lowest responsible bidder.

E. Opening and Analysis of Bids. At the time and place advertised in the request for bids, which may be prior to the meeting of Council at which the bids shall be considered, the Manager shall open bids (1) to analyze the conformity of the bids to request for bids and any applicable specifications (2) to make an initial determination subject to the approval of Council, as to the rank order of the most economical and cost effective bids for the Municipality, taking into consideration such factors as the availability, cost and quality of service, or product and the utilization of Municipal overhead in conjunction with the obtaining, or the use of the service or the product, and tax revenues which may be generated by the award of a bid to a particular bidder, and (3) to make an initial determination subject to the approval of Council, as to whether the bidders are in fact responsible bidders.

F. Acceptance or Rejection of Bids. Upon the presentment of the bids and the analysis thereof to Council, Council shall act by Motion, Resolution, or Ordinance as is appropriate under the Home-Rule Charter either to accept the bid of the lowest responsible bidder, or to reject all bids, or to table the acceptance or rejection of bids pending further analysis. The acceptance

of a bid authorizes the proper officials of the Municipality to execute appropriate contracts, purchase orders, or other documentation with the successful bidder, subject to the successful bidder, posting any required performance bond or subject to fulfilling any conditions required by the request for bids or specifications or made a part of the acceptance. If the successful bidder fails to execute any required contract documents, or pose any required performance bond or security within twenty (20) days of the acceptance of the bid or such other time limit fixed by such acceptance, then Council, at its next scheduled meeting, may accept the bid of the second lowest responsible bidder, provided said bidder reaffirms its bid; otherwise, there shall be rebidding.

- G. Maintenance of Files Where Competitive Bids Were Required. Whenever the Competitive Bidding Procedure is required to be followed as provided herein, a file shall be maintained which shall contain (1) the request for bids and any applicable specifications, (2) proofs of publication, (3) the bids received, and any notes of analysis thereof, (4) the minutes of any meetings where the bids were considered and any Resolution or Ordinance adopted in conjunction with the acceptance of a bid, (5) any contract, purchase order, or other relevant documents, (6) any confirmation of acceptance of performance or release of a performance bond. After the confirmation of acceptance of performance, or the release of a performance bond, the date of the confirmation of acceptance of performance, or the release of a performance bond, shall be marked and tabbed on the file, and the file shall be maintained for a period of seven years.