

ORDINANCE NO. 1550

An ordinance amending and re-enacting Section 2-6, Article 1 of the Code of the City of Jamestown, by modifying the competitive bidding on certain contracts.

WHEREAS, the City of Jamestown, by and through its home rule charter adopted in accordance with Chapter 40-05.1 of the North Dakota Century Code, is authorized to enter into certain contracts, and encourage the competitive bidding on City projects; and

WHEREAS, Section 40-05.1-06 of the North Dakota Century Code provides that the City has the right to implement home rule powers by ordinance; and

WHEREAS, the City of Jamestown desires to modify its competitive bidding requirements.

NOW THEREFORE, be it ordered by the City Council of the City of Jamestown, North Dakota, that Section 2-6, be amended and re-enacted as follows:

**Sec. 2-6. - Competitive bidding on certain contracts.**

(a) Except as otherwise provided by law or ordinance, no contract for the purchase of materials, equipment, supplies, and services, and involving an expenditure of an aggregate amount of more than the sum of one-hundred thousand dollars (\$100,000.00) shall be entered into by the city, except upon bids or proposals received after and pursuant to publication, in paper or digital form, in the official newspaper of the city at least once a week for two (2) successive weeks, the last publication not less than three (3) days prior to the opening of bids or proposals.

(b) In the event the purchase is to be made from the United States Government or the state or any department of either, or any other governmental institution which does not enter competitive bidding for the sale of its property, it shall not be necessary for the city to publish notices calling for bids before entering into a contract for purchase under this section.

(c) Notwithstanding the above and foregoing, in the event the city council, in a special or regular meeting, by resolution, authorizes the city to enter into a contract for the purchase of materials, equipment, supplies, and services involving an expenditure of an aggregate amount of more than the sum of one-hundred thousand dollars (\$100,000.00) by a vote of seventy-five (75) percent or more of the duly elected members of the city council, it shall not be necessary for the city to solicit bids and publish notices calling for bids before entering into a contract for such purchase.

(d) With regard to contracts for the purchase of materials, equipment, supplies, and services with a total contract value of less than one-hundred thousand dollars (\$100,000.00), the city council may, from time to time, adopt and amend administrative policies setting forth policies and procedures required for such contracts.

ATTEST:

APPROVED:

Sarah Hellekson, City Administrator

Dwaine Heinrich, Mayor

Introduced by Council Member Buchanan

Seconded by Council Member Steele

First Reading: August 26, 2021

Second Reading: September 7, 2021

Final Passage: September 7, 2021

Roll Call No. 9 showed: 5 ayes, 0 nays, 0 absent.