

ORDINANCE NO. 2062

AN ORDINANCE AMENDING SECTION 31.19 (B) (3) (a), (B) (5), (B) (8) (d), and (C) (1) OF THE CITY OF BETHANY CODE OF ORDINANCES GOVERNING THE AUTHORITY OF THE CITY MANAGER TO MAKE PURCHASES; AND INCREASING THE AUTHORITY TO MAKE PURCHASES IN THE OPEN MARKET FROM \$35,000 TO \$55,000; AND INCREASING THE AUTHORITY TO MAKE PURCHASES DURING A DECLARED EMERGENCY FROM \$75,000 TO \$95,000; AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BETHANY, OKLAHOMA:

Section 1. The City Council of the City of Bethany, Oklahoma, hereby determines it necessary and expedient to amend Sections 31.19 (B) (3) (a), (B) (5), (B) (8) (d), and (C) (1) of the City of Bethany Code of Ordinances, which is described hereinafter;

Section 2. Section 31.19 (B) (3) (a) currently states:

(a) All supplies, materials, equipment and contractual services, except as otherwise provided herein, when the estimated costs thereof shall exceed \$35,000, shall be purchased by formal written contract from the lowest and best bidder, after due notice inviting bids.

Section 31.19 (B) (5) currently states:

(5) All purchases of and contracts for supplies, materials, equipment, public construction contracts and contractual services of less than the estimated value of \$35,000, shall be made in the open market without advertisement for bids, and without necessity of the final written contract procedure set forth above.

Section 31.19 (B) (8) (d) currently states:

(d) Where the City Manager declares that an emergency exists which would require that the requirement of obtaining quotes or bids be waived, then no bids or quotes need be obtained, and the City Manager is authorized to expend up to \$75,000, as necessary, to remedy the emergency without prior City Council approval, subject to the following procedure: At least 24 hours prior to the expenditure, the City Manager shall notify in writing or via email, the Mayor and members of City Council of the proposed emergency by describing the nature of the emergency and the proposed expenditure; prior to the stated time of the proposed emergency expenditure, either the Mayor or any three Council members may call an Emergency Meeting of the City Council if they determine the need for Council

consideration before the expenditure; following the emergency expenditure the City Manager shall list the expenditure at the next City Council meeting for ratification.

Section 31.19 (C) (1) currently states:

(1) The City Manager is hereby authorized to declare an emergency and to enter into all necessary contracts, not exceeding the sum of \$75,000, per occurrence, for the emergency repair and/or replacement of public improvements without prior approval of the City Council and without competitive bidding under the procedures set forth in division (B)(8)(d) above.

Section 3. Section 31.19 (B) (3) (a) is amended as follows:

(a) All supplies, materials, equipment and contractual services, except as otherwise provided herein, when the estimated costs thereof shall exceed \$55,000, shall be purchased by formal written contract from the lowest and best bidder, after due notice inviting bids.

Section 31.19 (B) (5) is amended as follows:

(5) All purchases of and contracts for supplies, materials, equipment, public construction contracts and contractual services of less than the estimated value of \$55,000, shall be made in the open market without advertisement for bids, and without necessity of the final written contract procedure set forth above

Section 31.19 (B) (8) (d) is amended as follows:

(d) Where the City Manager declares that an emergency exists which would require that the requirement of obtaining quotes or bids be waived, then no bids or quotes need be obtained, and the City Manager is authorized to expend up to \$95,000, as necessary, to remedy the emergency without prior City Council approval, subject to the following procedure: At least 24 hours prior to the expenditure, the City Manager shall notify in writing or via email, the Mayor and members of City Council of the proposed emergency by describing the nature of the emergency and the proposed expenditure; prior to the stated time of the proposed emergency expenditure, either the Mayor or any three Council members may call an Emergency Meeting of the City Council if they determine the need for Council consideration before the expenditure; following the emergency expenditure the City Manager shall list the expenditure at the next City Council meeting for ratification.

Section 31.19 (C) (1) is amended as follows:

(1) The City Manager is hereby authorized to declare an emergency and to enter into all necessary contracts, not exceeding the sum of \$95,000, per occurrence, for

the emergency repair and/or replacement of public improvements without prior approval of the City Council and without competitive bidding under the procedures set forth in division (B)(8)(d) above.

\*\*\*END\*\*\*

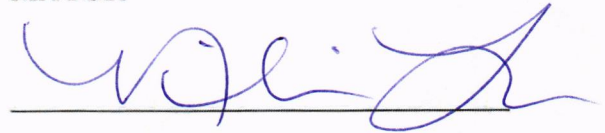
The foregoing ordinance was introduced before the Bethany City Council on the 4<sup>th</sup> day of June, 2024, and was duly adopted and approved by the Mayor and City Council on the 4<sup>th</sup> day of June, 2024, and after compliance with notice requirements of the Open Meeting Law (25 OSA, Sections 301, et seq.)

ATTEST:

CITY CLERK



MAYOR



Approved as to form and legality on June 4<sup>th</sup>, 2024.



CITY ATTORNEY

