

CITY OF EL PASO, TEXAS
AGENDA ITEM DEPARTMENT HEAD'S SUMMARY FORM

DEPARTMENT: Purchasing
AGENDA DATE: 8/28/07
CONTACT PERSON/PHONE: Terrence Freiburg 541-4313
DISTRICT(S) AFFECTED: All

SUBJECT:

Introduction of Amendment to Ordinance 16015 (GRANTING THE AUTHORITY TO THE CITY MANAGER TO ENTER INTO AND SIGN CERTAIN CONTRACTS ON BEHALF OF THE CITY AND TO SIGN CERTAIN DOCUMENTS)

BACKGROUND / DISCUSSION:

Effective September 1, 2007, the State Legislature, through Senate Bill 1765, amended the threshold for requiring competitive sealed bidding or competitive sealed proposals from \$25,000 to \$50,000. Therefore, Administration is requesting that Section 3(f) (Agreements) of the ordinance be amended to reflect the City Manager's authority to approve agreements, purchase orders and other similar documents as determined to be necessary in connection with making or awarding of contracts for the acquisition of goods and services, including but not limited to the Council's discretionary funds expenditures, in a amount not to exceed \$50,000 per annum or an aggregate of \$100,000 in a multi-year contract and in accordance with City Council approved purchasing policies as applicable, etc.

PRIOR COUNCIL ACTION:

Has the Council previously considered this item or a closely related one?

Yes, this ordinance was adopted March 15, 2005.

AMOUNT AND SOURCE OF FUNDING:

How will this item be funded? Has the item been budgeted? If so, identify funding source by account numbers and description of account. Does it require a budget transfer?

N/A

BOARD / COMMISSION ACTION:

Enter appropriate comments or N/A

*****REQUIRED AUTHORIZATION*****

LEGAL: (if required) _____ **FINANCE:** (if required) _____

DEPARTMENT HEAD: _____

(Example: if RCA is initiated by Purchasing, client department should sign also)
Information copy to appropriate Deputy City Manager

APPROVED FOR AGENDA: _____

CITY MANAGER: _____ **DATE:** _____

AN ORDINANCE AMENDING ORDINANCE No. 16015 TO GRANT THE AUTHORITY TO THE CITY MANAGER TO ENTER INTO AND SIGN CERTAIN CONTRACTS ON BEHALF OF THE CITY

WHEREAS, the City Council adopted Ordinance No. 16015 on March 15, 2005 granting authority to the City Manager to enter into and sign certain contracts in an amount not to exceed \$25,000 per annum or an aggregate of \$50,000 on a multi-year contract on behalf of the City;

WHEREAS, Senate Bill No. 1765, effective September 1, 2007, amends Texas Local Government Code Section 252.021 requiring municipalities to comply with competitive bidding requirements for contracts that require expenditures of more than \$50,000, thereby increasing the threshold from \$25,000 to \$50,000; and

WHEREAS, in the interest of efficiency of administrative governmental operations in the City, the City wants to increase the City Manager's authority to enter contracts consistent with the state law's competitive bidding requirements.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That Section 3(f) of Ordinance No. 16015 granting authority to the City Manager to negotiate and enter into certain contracts specified below on behalf of City shall be and is hereby amended to read as follows:
 - f. Agreements, purchase orders and other similar documents as determined to be necessary in connection with the making or awarding of contracts for the acquisition of goods and services, including but not limited to the Council's discretionary funds expenditures, in an amount not to exceed \$50,000 per annum or an aggregate of \$100,000 on a multi-year contract and in accordance with City Council approved purchasing policies as applicable; all agreements and similar documents in connection with revenue-generating contracts or contracts relating to the provision of goods and services by persons or organizations to the City at no cost to the City, such as park partner agreements, traffic signal agreements and median landscaping agreements; and memoranda establishing cooperative working relationships with other public safety agencies, excluding agreements made pursuant to the Interlocal Cooperation Act. Such authority shall supercede and be controlling over any conflicting provision or procedure contained in any resolution or other ordinance previously adopted by the City Council that required the contract to be presented to the Mayor and/or City Council for approval, except as may be set forth in any purchasing policy that has been approved by the Council.

2. Except as expressly herein amended, Ordinance No. 16015 shall remain in full force and effect.

ADOPTED this __ day of _____, 2007.

CITY OF EL PASO

John F. Cook
Mayor

ATTEST:

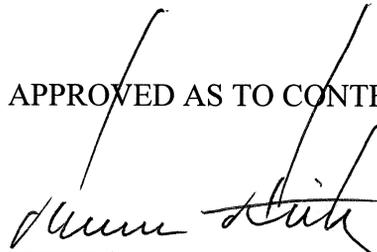
Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:



Bertha A. Ontiveros
Assistant City Attorney

APPROVED AS TO CONTENT:



Terrence Freiburg, Purchasing Manager
Financial Services Department