

**ORDINANCE NO. 7  
SERIES 2006**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GUNNISON,  
COLORADO, AMENDING CHAPTER 2.20, PURCHASING POLICY AND  
PROCEDURE, OF THE 2006 CITY OF GUNNISON MUNICIPAL CODE.**

**WHEREAS**, Article XI, Section 11.8, of the City of Gunnison Municipal Home Rule Charter provides that “The Council shall establish by ordinance the procedure for entering into contracts for purchases and contracts for construction of public works...”; and

**WHEREAS**, the City Manager and Director of Finance have recommended to the City Council certain revisions to Chapter 2.20, Purchasing Policy and Procedure, of the 2006 City of Gunnison Municipal Code, which revisions the City Council wishes to adopt;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GUNNISON,  
COLORADO, ORDAINS THAT:**

Section 1. Section 2.20.030 (B) of the 2006 City of Gunnison Municipal Code is hereby amended to read as follows:

- B. The City Council, or its designee, must approve and sign the following types of contracts, regardless of the dollar amount:
1. Multi-year contracts of any nature;
  2. Challenge Grant and Continuing Challenge Grant contracts;
  3. Youth Challenge Grant contracts;
  4. City Scape Grant contracts;
  5. Contracts for Service;
  6. Real estate purchase contracts;
  7. Contracts relating to the sale of bulk utilities, other than normal retail transactions.

Section 2. The title to Section 2.20.110, together with the opening paragraph of said section, of the 2006 City of Gunnison Municipal Code is hereby amended to read as follows:

**2.20.110 Formal purchase procedure.**

The City Manager, or designee, acting as the purchasing officer for the City of Gunnison, shall follow the procedures set forth in this section to call for competitive bids for all formal purchases of tangible goods, services, and supplies for the City of Gunnison.

Section 3. Section 2.20.110(C) of the 2006 City of Gunnison Municipal Code is hereby amended to read as follows:

- C. The City reserves the right to reject any and all bids, the right to disregard all non-conforming, non-responsive, or conditional bids. If conflicts arise between the provisions of the text and any table, illustration, graphic depiction, or number or calculation, the provisions of the text shall apply. In the event that all bids exceed the funds allocated in the City of Gunnison’s budget, the City reserves the right to reduce the scope of work or reject all bids. The City may negotiate with the lowest responsible bidder to reduce the scope of work as

required to conform to the funds available. Entering into negotiations does not guarantee the subsequent award of the bid.

Section 4. Section 2.20.150 of the 2006 City of Gunnison Municipal Code is hereby amended to read as follows:

**2.20.150 Bids for construction contracts equal to or greater than \$50,000.00.**

The bid procedure for construction contracts equal to or greater than \$50,000.00 shall be the same as set forth for purchase of tangible goods, services, and supplies in this policy except:

- A. When contracting with a consulting or engineering firm for construction projects, said consulting or engineering firm shall be responsible for preparation of the invitation to bid and bid specifications and contracts.
- B. All invitations to bid for construction contracts in an amount greater than \$100,000.00 shall include requirements for bid security. Bid security shall be a bond provided by a surety company authorized to do business in the State of Colorado. Bid security shall be in an amount as set forth in the invitation to bid.
- C. Following a sufficient period of time for review and inspection by City staff, all bids for construction contracts equal to or greater than \$50,000.00 shall be awarded by the City Council at a regular meeting or at a special meeting called for such approval, authorizing the Mayor, or in the Mayor's absence, the Mayor Pro Tem, to sign said contract.

Section 5. Section 2.20.160, Requirements for informal and formal bids per purchase, is hereby amended in the following particulars:

Subsection (A) is hereby amended to read "Under \$500.00."

Subsection (B) is hereby amended to read "Between \$500.00 - \$2,499.00".

Subsection (B) is further amended to add a subsection (3), to read as follows:

3. Contracts for service, if the service is being provided on City property, the contract shall include provisions for appropriate insurance coverage.

Subsection (C) is hereby amended by the addition of subsection (3), to read as follows:

3. Contracts for service, if the service is being provided on City property, the contract shall include provisions for appropriate insurance coverage.

Subsection (D) is hereby amended by the addition of subsection (3), to read as follows:

3. Contracts for service, if the service is being provided on City property, the contract shall include provisions for appropriate insurance coverage.

Subsection (E) is hereby amended by the addition of subsection (3), to read as follows:

3. Contracts for service, if the service is being provided on City property, the contract shall include provisions for appropriate insurance coverage.

**INTRODUCED, READ, PASSED AND ORDERED PUBLISHED** this 23rd day of May, 2006, on first reading, and introduced, read, and adopted on second and final reading this 13th day of June, 2006.

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Mayor

(SEAL)

ATTEST:

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City Clerk