

CITY CONTRACTS

SECTION:

- 1-8-1: Contract Review Board
- 1-8-2: Contracting Agency
- 1-8-3: Administrative Staff Authority
- 1-8-4: Disposition of Surplus Property
- 1-8-5: Purchasing Policies
- 1-8-6: Interpretation
- 1-8-7: Rules

Section 1.

1-8-1: CONTRACT REVIEW BOARD: The Florence City Council is designated as the “**Local Contract Review Board**” under the State of Oregon Public Contracting Code. The Contract Review Board may, from time to time, delegate its powers and responsibilities consistent with the Oregon Public Contracting Code, the City’s Public Contracting Rules, or the Florence Code.

1-8-2: CONTRACTING AGENCY: The City Manager, or designated purchasing agent, is appointed as the City’s “Contracting Agency” for purposes of contracting powers and duties assigned to the City of Florence as a “Contracting Agency” under the State of Oregon Public Contracting Code or the Model Rules.

1-8-3: ADMINISTRATIVE STAFF AUTHORITY: Administrative staff and departments have contracting authority and responsibilities as follows:

- A. The City Manager or City Manager’s designee is authorized to:
 - 1. Enter into City contracts not to exceed the dollar amount set by City Council resolution without additional authorization of the Contract Review Board.
 - 2. Recommend that the Contract Review Board approve or disapprove contract awards in excess of the dollar amount set by City Council resolution.
 - 3. Enter into contracts or permits for local concessions and street vendors (pursuant to applicable City policy) where the annual amount to be paid to or by the City is not expected to exceed the dollar amount set by City Council resolution per year.
 - 4. Approval of purchases of goods from City employees shall require authorization of the City Council and shall be in accordance with the City personnel policies and other applicable law.
 - 5. Approve departmental purchases that are in excess of the dollar amount set by City Council resolution. Department Managers and the Chief of Police are authorized to make purchases up to the dollar amount set by City Council resolution if the purchase is within an approved budgeted line item. All contracting by departments shall be according to approved City purchasing procedures adopted by the Contracting Agency or the Contract Review Board.
- B. Each Department shall:
 - 1. Operate within its budget, or seek supplemental budgetary authority from City Council with respect to the contract.
 - 2. Plan the purchase of goods and equipment sufficiently in advance, whenever possible and practical so that orders can be placed in economical quantities.

3. Process requisition forms and negotiate purchases on the most favorable terms in accordance with adopted ordinances, state laws, policies and procedures.

1-8-4: DISPOSITION OF SURPLUS PROPERTY: Disposition of surplus property may be made, at the discretion of the City Manager or designee, under provisions of the State of Oregon Public Contracting Code, the City's Public Contracting Rules, or under the provisions of this section:

- A. After property owned by the City of Florence is determined by the City Manager or designee to be surplus to the needs of the City, the City may sell the property at public auction. The City may utilize a contracting firm, approved by the Contract Review Board, for disposition of the property on terms and conditions contained in a contract approved by the Contract Review Board. The City shall give notice of the public auction by posting notice of the means by which the property will be disposed of on the City of Florence Internet Website, or by advertisement in a newspaper of general circulation.
- B. Auction sales may be conducted entirely on the internet. Sale shall be for cash to the highest bidder, "as is". All proceeds of the sale shall be paid to the City, subject to the terms and conditions of the contract (if any) approved by the Contract Review Board between the City of Florence and a firm selected to conduct the auction.
- C. All property sold pursuant to this section shall be sold as-is without any warranty, either express or implied, of any kind, including but not limited to warranties of title or fitness for any purpose. Upon receiving payment for the property from the successful bidder, the person or company conducting the auction shall execute an appropriate bill of sale, which shall recite that the sale is without warranty, as provided in this sub-section.

1-8-5: PURCHASING POLICIES: The Contracting Agency shall adopt appropriate purchasing policies dealing with ethics, environmental considerations and the like, subject to review and modification by the Contract Review Board.

1-8-6: INTERPRETATION: It is the City's intent that this Chapter be interpreted to authorize the full use of all contracting powers and authorities described in ORS Chapters 279A, 279B, and 279C. In the event of a conflict between any provision of the State of Oregon Public Contracting Code and this Chapter the provisions of the State of Oregon Public Contracting Code shall control.

1-8-7: RULES: The Contract Review Board shall adopt rules to implement this Chapter by resolution, as allowed by ORS 279A.065.

Amended by Ord. No. 4, Series 2005 – effective Feb. 24, 2005

All sections amended by Ord. No. 10, Series 2011 – effective June 4, 2011

Amended by Ord. No. 4, Series 2022 – effective June 13, 2022