

**CITY OF POMPANO BEACH**  
**Broward County, Florida**

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH AMENDING CHAPTER 32, "DEPARTMENTS," OF THE POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 32.39, "COMPETITIVE BIDDING," AND SECTION 32.4, "STANDARDIZATION," TO PROVIDE FOR REVISION TO THE CITY'S PROCUREMENT PROCEDURES; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, pursuant to law, ten (10) days' notice has been given by publication in a paper of general circulation in the City, notifying the public of this proposed Ordinance and of a public hearing in the City Commission Chambers of the City of Pompano Beach; and

**WHEREAS**, a public hearing before the City Commission was held pursuant to the published notice described above, at which hearing the parties in interest and all other citizens so desiring had an opportunity to be and were, in fact, heard; now, therefore,

**BE IT ENACTED BY THE CITY OF POMPANO BEACH, FLORIDA:**

**SECTION 1.** That Section 32.39, "Competitive Bidding," of Chapter 32, "Departments," of the Pompano Beach Code of Ordinances, is hereby amended to read as follows:

**§ 32.39 COMPETITIVE BIDDING.**

(A) Before the General Services Director makes any purchase of, or contract for, supplies, materials, equipment, or insurance services in an amount of \$5,000 but less than \$15,000 \$20,000, the General Services Director shall have solicited competitive quotations from at least ~~three~~ one responsible sources of supply.

(B) (1) Any purchase of supplies, materials or insurance services in the amount of ~~\$15,000~~ \$75,000 or more shall be by written, sealed bids. The General Services Director or designee shall have the authority to approve purchases in an amount less than ~~\$15,000~~ \$75,000 and, with the concurrence of the City Manager, ~~have approval authority for those purchases in the amount of \$15,000 but less than \$25,000 to the lowest responsible bidder.~~ Except as otherwise provided herein, any purchase in the amount of ~~\$25,000~~ \$75,000 or more shall be approved by the City Commission, but this proviso may be waived by appropriate resolution of the City Commission.

(2) In addition to the purchases described in subsection (1) above, the General Services Director or designee shall have the authority to approve all purchases in an amount less than \$75,000, with the concurrence of the City Manager.

...

(D) Contracts to be awarded for the construction of public improvements or public works must be approved by the City Commission after advertisement for written, sealed bids in a newspaper of general circulation in the city or county not less than five days prior to the day set to receive bids; however, for contracts that amount to less than ~~\$15,000~~ \$75,000, contracts shall be awarded on the basis of informal written quotations which should include the solicitation of at least three sources of supply. The City Commission may waive the necessity for advertisements for contracts for the construction of public improvements or public works in an amount of ~~\$15,000~~ \$75,000 or more by appropriate resolution. If a waiver occurs, at least three competitive bids must be obtained before a contract is awarded.

**SECTION 2.** That Section 32.45, "Standardization," of Chapter 32, "Departments," of the Pompano Beach Code of Ordinances, is hereby amended to read as follows:

**§ 32.45 STANDARDIZATION.**

...

(B) The General Services Director may recommend to the City Commission for purchases ~~equal to or over \$25,000~~ under \$75,000 that any brand or source of supplies standardized as the only brand or source of supplies that will be purchased city-wide or for a particular agency. The General Services Director with the concurrence of the City Manager shall have the authority to award all standardized commodity purchases less than ~~\$25,000~~ \$75,000 ~~but greater than \$15,000.~~ Competition among distributors of a standardized brand will be attained if possible. However, the General Services Director may purchase directly, without competition, from a standardized, sole source or obtain as

much competition as possible, in any method determined by the General Services Director to be in the best interest of the City of Pompano Beach, any standardized sole brand commodity.

**SECTION 3.** That any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

**SECTION 4.** This Ordinance shall become effective upon passage.

**PASSED FIRST READING** this 14th day of February, 2017.

**PASSED SECOND READING** this 28th day of February, 2017.

  
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**LAMAR FISHER, MAYOR**

**ATTEST:**

  
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**ASCELETA HAMMOND, CITY CLERK**

MEB/jrm  
2/3/17  
l:ord/ch32/2017-104