

ORDINANCE NO. 2378
INTRODUCED BY: Humbert

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, AMENDING SECTION 3-8-90 OF THE BRIGHTON MUNICIPAL CODE REGARDING BIDDING PROCEDURES FOR CONTRACTS AND PROCUREMENT OF SUPPLIES AND SERVICES

WHEREAS, City Council previously adopted Resolutions Nos. 01-107 and 2020-32, relating to the application and implementation of Chapter 3 of the Brighton Municipal Code regarding contracts and procurement; and

WHEREAS, City Council recognizes that the policies set forth in Resolution Nos. 01-107 and 2020-32 assist City staff in the application and implementation of the requirements and processes set forth in Chapter 3 of the Brighton Municipal Code; and

WHEREAS, City staff have relied on Resolution No. 01-107 in the procurement and contracting of operation and capital equipment and Resolution 2020-32 for software renewals; and

WHEREAS, City Council supports modifying the Brighton Municipal Code in conformance with the policies set forth in Resolution Nos. 01-107 and 2020-32.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, AS FOLLOWS:

Section 1: City Council hereby ratifies all contract renewals and amendments previously executed by City staff in accordance with Resolution Nos. 01-107 and 2020-32.

Section 2: Section 3-8-90 of the Brighton Municipal Code is hereby amended by adding subsection (b) to read as follows:

Section 3-8-90. – Bidding procedure required for contracts and procurement of supplies and services.

(a) All materials, supplies, equipment, services and construction contracts, except as otherwise provided in this Article, with an estimated cost greater than twenty-five thousand dollars (\$25,000.00) but less than fifty thousand dollars (\$50,000.00), shall be awarded through formal bid procedures or the formal RFP process by the City Manager. All materials, supplies, equipment, service and construction contracts, except as otherwise provided in this Article, with an estimated cost of greater than fifty thousand dollars (\$50,000.00), shall be awarded through the formal bid process or the formal RFP process by the City Counsel. After due notice inviting bids, purchase orders and contracts shall be awarded to the lowest responsive and responsible bidder.

(b) All operational expenses, capital equipment items, and all software, maintenance, and cloud renewals which are included in the annual budget and which have been approved by the City Council through the formal budget process may proceed through the requisite procurement process without additional approval by the City Council and may be signed by the City Manager, so long as all of the requirements and processes for City contracting and procurement as set forth in Chapter 3 of the Brighton Municipal Code have been satisfied and so long as the cost of the item does not exceed the approved budgeted amount. City Council approval is required if the item exceeds the approved budgeted amount, if the item is not as originally budgeted, or if special circumstances exist which necessitate City Council approval.

Section 3. As provided in City Charter Section 5.9(A), this Ordinance, either as presented or as amended, shall be published in full as it was adopted prior to taking final action. This Ordinance shall be in full force and effect five days after its final publication, as provided in City Charter Section 5.8.

INTRODUCED, PASSED ON FIRST READING, AND ORDERED PUBLISHED THIS 7th DAY OF December, 2021.

PASSED ON SECOND AND FINAL READING AND ORDERED PUBLISHED BY TITLE ONLY THIS 21st DAY OF December, 2021.

CITY OF BRIGHTON, COLORADO



GREGORY MILLS, Mayor

ATTEST:



NATALIE HOEL, City Clerk

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APPROVED AS TO FORM:



ALICIA CALDERÓN, City Attorney