

PART II - CODE OF ORDINANCES  
Chapter 6 - FINANCE AND TAXATION  
ARTICLE 8. PROCUREMENT

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## **ARTICLE 8. PROCUREMENT**

### **Sec. 6-71. Purpose and scope.**

The purpose of this article is to ensure compliance with the Virginia Public Procurement Act and other applicable state law as amended. This article applies to the procurement of all goods, services, insurance, and construction by all Town departments, whether by purchase order, contract, or agreement and regardless of funding source except as otherwise specified herein or by state and federal law.

(Code 1969, § 6-71; Ord. of 11-2-1998)

### **Sec. 6-72. Definitions.**

For the purposes of this article, the definitions in Code of Virginia, § 2.2-4301, as amended, shall apply.

(Code 1969, § 6-72; Ord. of 11-2-1998; Ord. of 3-2005)

### **Sec. 6-73. Position of the procurement officer.**

- (a) There is hereby created in the department of finance the position of procurement officer. The procurement officer shall be the public purchasing official of the Town. The procurement officer shall work under the direction of the director of finance and shall enforce applicable state law and the provisions of this article. The procurement officer shall purchase or supervise the purchasing of all goods, services, insurance, and construction except as otherwise provided for herein and shall maintain the Town's official bidders list.
- (b) The procurement officer shall be responsible for the sale, trade, or disposal of surplus property and shall, under the supervision of the director of finance, establish and maintain purchasing procedures and requirements that enforce compliance with applicable state law and the provisions of this article.

(Code 1969, § 6-73; Ord. of 11-2-1998)

### **Sec. 6-74. Methods of procurement.**

For the purposes of this article, Code of Virginia, § 2.2-4301 et seq., shall apply to the procurement of goods, services, insurance, and contracts in amounts greater than \$30,000.00 except as otherwise provided for herein. The Town Council may also approve administrative regulations to implement the small purchase procedures that are not inconsistent with this article.

(Code 1969, § 6-74; Ord. of 11-2-1998; Ord. of 3-2005; Ord. of 7-10-2017 ; Ord. of 12-10-2018 , § 1)

#### **Sec. 6-74.1. Small purchase procedures.**

- (a) All contracts appended to purchase orders, including cooperative purchases that require special terms and conditions in addition to the Town's standard terms and conditions, shall be executed by the mayor and attested by the Town clerk.
- (b) Transportation-related construction, if the aggregate or sum of all phases is not expected to exceed \$25,000 is considered a small purchase for the purposes of this ordinance
- (c) *Professional services.*

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- (1) Procurement of professional services in an amount not to exceed \$80,000 shall be by competitive negotiation, and initiated by written request for written proposals to the maximum number of offerors that can be reasonably anticipated to submit responses.
  - (2) Upon receipt of written proposals, the selection shall be made as provided for under "Competitive Negotiation" at Code of Virginia, § 2.2-4303(B).
  - (d) \$5,000 to \$30,000. Purchases and contracts of at least \$5,000 but not exceeding \$30,000.00 shall be competitively procured by the affected department head or the procurement officer by written request for quotation to the vendors on the Town's bidders list. Recordation and tabulation of the quotations shall be made by the affected department head and a purchase order shall be issued by the procurement officer with the approval of the director of finance.
  - (e) \$2,000 to \$5,000 Purchases and contracts of less than \$5,000 but more than \$2,000 shall be awarded by the procurement officer following the approval of the requisitioning department head and the director of finance.

(Code 1969, § 6-74.1; Ord. of 11-2-1998; Ord. of 3-2005; Ord. of 7-10-2017 ; Ord. of 12-10-2018 , § 1)

#### **Sec. 6-74.2. Cooperative procurement.**

For the purposes of this article, Code of Virginia, § 2.2-4304, as amended, shall apply. Cooperative procurement of goods, services, insurance, and contracts in an amount exceeding \$80,000 shall be approved by the Town Council. Cooperative procurement of goods, services, insurance, and contracts in an amount not exceeding \$30,000 shall be executed by the procurement officer following approval of the requisitioning department and the director of finance.

(Code 1969, § 6-74.2; Ord. of 11-2-1998; Ord. of 3-2005; Ord. of 7-10-2017 ; Ord. of 12-10-2018 , § 1)

#### **Sec. 6-75. Exception to competitive procurement.**

- (a) For the purposes of this article, exceptions to competitive procurement of goods, services, insurance, and construction in amounts greater than \$80,000 shall be those as provided for in title 2.2, chapter 43 of the Code of Virginia 1950, as amended, and shall be issued as prescribed therein.
- (b) Exceptions to the competitive procurement of goods, services, insurance, and construction in amounts of \$80,000 or less shall be justified in writing for the reasons as provided for in title 2.2, chapter 43 of the Code of Virginia 1950, as amended and approved by the Town Manager.

(Code 1969, § 6-75; Ord. of 11-2-1998; Ord. of 3-2005; Ord. of 7-10-2017 ; Ord. of 12-10-2018 , § 1)