



Legislation Details (With Text)

**File #:** 18-1081      **Version:** 1      **Name:**  
**Type:** Action Item      **Status:** Agenda Ready  
**File created:** 11/5/2018      **In control:** Town Council Meeting  
**On agenda:** 11/19/2018      **Final action:**  
**Title:** Request to amend Chapter 6, Finance and Taxation, Article 8, Procurement, of the Vienna Town Code  
**Sponsors:**  
**Indexes:**  
**Code sections:**  
**Attachments:** 1. Comparative Limits 2019, 2. Ordinance of 11-19-18 accept changes.docx, 3. Ordinance of 11-19-18- redline

Date	Ver.	Action By	Action	Result
11/19/2018	1	Town Council Meeting	approved	Pass

**Subject:**  
Request to amend Chapter 6, Finance and Taxation, Article 8, Procurement, of the Vienna Town Code

**EXPLANATION AND SUMMARY :**

The Finance Department recommends amendment of the Town Code, Chapter 6, Finance and Taxation, Article 8, Procurement to raise the dollar limit triggering the need for Council approval and competitive sealed bidding from \$20,000 to \$30,000. In 2014, the appropriation amount requiring Council approval was raised to \$20,000 and in 2017 the competitive sealed bid amount also was raised to \$20,000.

Over the past two years, about 20 items a year have required competitive sealed bids and Council approval because they were between \$20,000 and \$30,000. Five of the 20 items each year were vehicles covered under the Vehicle Replacement Plan. The remainder related to software, small construction projects, parks and recreation instructors, and mailings.

Any item greater than \$30,000 will continue to require a formal, sealed bid or rideable contract. Any item less than \$30,000 but more than \$1,000 will require three written quotes or a rideable contract.

This change is well within limits set by the state for competitive sealed bids, which is \$100,000 for goods and services (other than professional services) and \$60,000 for professional services. The Town also is more conservative than neighboring jurisdictions, where even smaller jurisdictions do not utilize competitive bidding for items and services less than \$50,000.

Should Council agree to this change, the Finance Department will update the Purchasing Administrative Regulations to reflect code changes.

**Departmental Recommendation** : Recommend amending Chapter 6, Article 8 of the Town Code to change the minimum for competitive sealed bids and Council approval to \$30,000.

**Finance Recommendation** : Recommend amending Chapter 6, Article 8 of the Town Code to change the minimum for competitive sealed bids and Council approval to \$30,000.

**Purchasing Recommendation** : Recommend approval.

**Town Attorney Recommendation** : Pursuant to Virginia Code §2.2-4303, the Town may adopt “small purchase procedures,” if adopted in writing, that do not require competitive sealed bids or competitive negotiation for single or term contracts. Such procedures may apply to the following:

1. Goods and services other than professional services and non-transportation-related construction, if the aggregate or the sum of all phases is not expected to exceed \$100,000; and
2. Transportation-related construction, if the aggregate or sum of all phases is not expected to exceed \$25,000.

However, such small purchase procedures shall provide for competition wherever practicable. Also, such purchase procedures may allow for single or term contracts for professional services without requiring competitive negotiation, provided the aggregate or sum of all phases is not expected to exceed \$60,000.

**Town Manager's Recommendation** : I recommend the Town Council amend the Town Code of Vienna, Chapter 6 Finance and Taxation, Article 8, Procurement to raise the dollar amount requiring Council approval and competitive sealed bidding to \$30,000, as presented.

Cost and Financing: \$0

Account Number: N/A

Decision Needed by This date: November 19, 2018

#### **PROPOSED/SUGGESTED MOTION**

“I move to amend the Town Code of Vienna, Chapter 6 Finance and Taxation, Article 8, Procurement to raise the dollar amount requiring Council approval and competitive sealed bidding to \$30,000.”

And,

“I further move to direct the Town Clerk to advertise the intent to adopt said changes at the December 10, 2018 Council meeting.”

Or

Other action deemed necessary by Council.