Cumberland Town Council

Ordinance 2018 – 26

Amending Procedure for Soliciting Quotes for Public Works Projects

Whereas, section 00-03-32-30 of the Town of Cumberland Code of Ordinances details the purchasing procedures of the Town; and

Whereas, the Indiana State Legislature enacted House Enrolled Act 1004 (HEA 1004) amending local government purchasing procedures for public works project pursuant to Indiana Code § 36-1-12-5; and

Whereas, the Town Council, at all times, seeks to comply with the required contract awarding procedures as prescribed by state law; and

Whereas, the Town Council finds that it is in the best interest of the Town, and its citizens, to adopt a new section, § 00-03-32-30(G) of the Town of Cumberland Code of Ordinance to detail the Town’s rules for requesting and receiving quotes for public works projects under $50,000.

Therefore, it is ordained, that a new section, 00-03-32-30(G), of the Town of Cumberland Code of Ordinance is hereby added and this new section shall read as follows.

“ § 00-03-32-30(G) Procedure for Requesting and Receiving Quotes for Certain Public Works Projects.

(A) Applicability. This section applies to all public work projects estimated, by the Town, to cost less than $50,000. This procedure does not apply for resurfacing of a road, street, or bridge unless the weight or volume of material in the project is capable of accurate measurement and verification and the specifications define the geographic point at which the project begins and ends.

(B) Procedure. The Cumberland Town Council will invite quotes from at least three persons known to deal in the class of work proposed to be done by either of the following methods:
(1)  *Mail.* The Town Council may mail notice inviting quotes and stating the plans and specifications on file in the Public Works Department. This notice will be mailed at least seven days before the time fixed for receiving quotes. Persons mailed this notice are not required to submit a quote before the Town Council meeting at which the quotes are to be received and opened.

(2)  *Telephone or Electronically.* The Town Council may solicit quotes by telephone, facsimile transmission, or electronic mail. The seven-day waiting period required under section (B)(1) does not apply to quotes solicited under this section.

(C)  *Opening and Reading Quotes.* All quotes received pursuant to this policy will be opened publicly and read aloud at the time and place designated in the solicitation for quotes. The Town Council will announce the person who submitted each quote and the amount of each quote.

(D)  *Awarding of Contract.* The Town Council will award the contract for the public work project to the lowest responsible and responsive quoter.

(E)  *Rejection of Quotes.* The Town Council may reject all quotes submitted. If the Town Council rejects all quotes, the Town Council may negotiate and enter into agreements for the work in the open market without inviting or receiving quotes if the Town Council establishes in writing the reasons for rejecting the quotes.”

It is further ordained that this ordinance shall become effective upon adoption.

It is further ordained that any other provision of the Town of Cumberland Code of Ordinances which is not specifically amended by this ordinance shall remain in full force and effect.

Adopted this [7th] day of November, 2018.

Cumberland Town Council:

[Signature]

Anna Pea, President