

City of Providence

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

CHAPTER 1997-20

No. 107 AN ORDINANCE

INCREASING FROM TWO THOUSAND (\$2,000) DOLLARS TO FIVE THOUSAND (\$5,000) DOLLARS THE AMOUNT FOR CONTRACTS OF PURCHASE PURSUANT TO THE PROVISIONS OF THE PROVIDENCE HOME RULE CHARTER SECTION 1007(C)(1)

Approved March 13, 1997

Be it ordained by the City of Providence:

SECTION 1.

WHEREAS, Section 1007(c)(1) of the Providence Home Rule Charter of 1980 provides:

(c) It shall be the responsibility of the board of contract and supply:

- (1) To make all contracts for purchase of materials, supplies, services, equipment and property on behalf of the city, the price or consideration of which shall exceed two thousand dollars (\$2,000.00), on the basis of sealed bids solicited through public advertisement in a newspaper of general circulation in Providence, such bids to be submitted, opened and considered in accordance with rules and regulations approved by the board. The city council may increase the figure of two thousand dollars (\$2,000.00) by a two-thirds vote following a public hearing, but no more often than once every five (5) years, and*

WHEREAS, Section 1006(c) of the Providence Home Rule Charter of 1980 provides:

- (c) [Purchases of less than two thousand dollars.]. All contracts for purchase of materials, supplies, services, equipment and property on behalf of the city, the price or consideration of which shall exceed five hundred dollars (\$500.00) but amount to less than two thousand dollars (\$2,000.00) shall be made by the director of public property on the basis of three (3) or more informal competitive bids, which may be solicited without advertising, but which must be submitted in writing. Upon receipt of said informal bids any such contract shall be awarded to the lowest responsible bidder among them. All purchases made on behalf of the city, the price or consideration of which shall be five hundred dollars (\$500.00) or less, shall be made by the department or agency requiring the materials, supplies, services, equipment or*

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property involved, in accordance with rules and regulations established by the director of public property. No purchase request which is essentially a unit shall be divided for the purpose of evading the requirement of solicitation of competitive bids set forth in this subsection or that set forth in section 1007(c), clause (1) below; provided, however, that said requirements for competitive bidding may be dispensed with to allow emergency purchases upon the recommendation of the director of public property with the approval of a majority of all of the members of the board of contract and supply. Emergency shall be defined for the purposes of this subsection as an unforeseen situation, requiring immediate attention in order to safeguard the welfare of the people of the city, and one which renders the process of competitive bidding impractical or impossible; and

WHEREAS, R.I.G.L. § 45-55-9 provides:

45-55-9. Small purchases.- Procurements not to exceed an aggregate amount of ten thousand dollars (\$10,000) for construction and five thousand dollars (\$5,000) for all other purchases may be made in accordance with small purchase regulations promulgated by the municipality. These amounts shall be increased or decreased annually hereafter at the same rate as the Boston Regional Consumer Price Index. Procurement requirements shall not be artificially divided so as to constitute a small purchase under this section. A municipality may further reduce the aggregate purchase amount, as provided for in this section by ordinance; and

WHEREAS, the City Council, pursuant to Section 1007(c) of the Providence Home Rule Charter of 1980, may increase the figure of two thousand dollars (\$2,000.00) by a two-thirds vote following a public hearing, but not more often than once every five (5) years; and

WHEREAS, said figure of two thousand dollars (\$2,000.00) has not been increased by the City Council since the effective date of this Charter on January 3, 1983; and

WHEREAS, consequently, more than five (5) years have passed since the figure of two thousand dollars (\$2,000.00) was last established in January, 1983, and

WHEREAS, R.I.G.L. § 45-55-9 permits small purchases in an amount not to exceed five thousand dollars (\$5,000.00) to be made in accordance with regulations promulgated by the municipality.

SECTION 2. Pursuant to Section 1007(c)(1) of the Providence Home Rule Charter of 1980, the City Council hereby increases the figure from two thousand dollars (\$2,000) to five thousand dollars (\$5,000) as the price or consideration for which all contracts for purchase of materials, supplies, services, equipment and property are to be made by the Board of Contract and Supply.

SECTION 3. As a consequence of the operation of the provisions of Section 1 of this Ordinance, logic dictates that Section 1006(c) of the Providence Home Rule Charter which provides for "purchase of material, supplies, services, equipment and property, the price or consideration of which shall exceed five hundred dollars (\$500.00) but amount to less than two thousand dollars (\$2,000.00)" shall hereafter be interpreted and construed as applying to purchases wherein the price or consideration of which shall exceed five hundred dollars (\$500.00) but amount to less than five thousand dollars (\$5,000.00).

SECTION 4. Upon passage of this Ordinance the City Clerk shall append an official copy of said Ordinance to the Providence Home Rule Charter of 1980 and provide for its publication as appendix to said Charter.

SECTION 5. This Ordinance shall become effective upon passage by a two-thirds vote of the City Council.

CLERK
1997 March 6
4:00 PM
BY THE CITY COUNCIL

IN CITY COUNCIL
FEB 20 1997
FINAL READING
READ AND PASSED

Michael S. Clement
CLERK

IN CITY COUNCIL
MAR 6 1997
FINAL READING
READ AND PASSED

Evelyn V. Fargnoli
PRESIDENT
Michael S. Clement
CLERK

APPROVED
MAR 13 1997
Vincent A. Cianci
MAYOR

IN CITY COUNCIL

CLERK

PROCEEDING NO. 10 96

IN CITY COUNCIL
DEC 4 1996
FIRST READING
REFERRED TO COMMITTEE ON
FINANCE

Richard K. Clement CLERK

THE COMMITTEE ON
FINANCE
Approves Passage of
The Within Ordinance

Richard K. Clement
Jan. 13, 1997 Clerk

G.H. Lee 2/10/97

Councilwoman Nolan (by Request)