

ORDINANCE NO. 4190

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 16.5, PROCUREMENT CODE, ARTICLE III. SOURCE SELECTION AND CONTRACT FORMATION, DIVISION 1. METHODS OF SOURCE SELECTION SECTION 16.5-61, COMPETITIVE SEALED BIDDING, TO REQUIRE THAT ALL CONTRACTS EXCEEDING \$50,000 BE AWARDED BY COMPETITIVE SEALED BIDDING; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Riviera Beach is a home rule municipality organized under the Constitution and the laws of the State of Florida; and

WHEREAS, the City Council desires to increase the requirement that all contracts exceeding \$25,000 be awarded by competitive sealed bidding to \$50,000.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA that:

SECTION 1: The Code of Ordinances of the City of Riviera Beach, Florida at Chapter 16.5 – PROCUREMENT CODE. ARTICLE III. SOURCE SELECTION AND CONTRACT FORMATION. DIVISION 1. METHODS OF SOURCE SELECTION is hereby amended at Sec. 16.5-61(a) to read as follows:

Sec. 16.5-61. - Competitive Sealed Bidding.

- (a) *Conditions for use.* All contracts of the city exceeding \$50,000.00 ~~\$25,000.00~~ shall be awarded by competitive sealed bidding except as otherwise provided in Sections 16.5-62 (Competitive sealed proposals), 16.5-63 (Contracting for designated professional services), 16.5-64 (Small purchases), 16.5-65 (Sole source procurement), 16.5-66 (Emergency procurements), or 16.5-171 (Public announcement and selection process) of this chapter, or as otherwise approved in public session by city council.

SECTION 2: Repeal of Law in Conflict. That all sections or parts of sections of the Code of Ordinances, all Ordinances or parts of Ordinances, and all Resolutions or parts of Resolutions in conflict herewith, be and the same are hereby repealed to the extent of such conflict.

SECTION 3: **Severability.** If any portion of this Ordinance is determined by any Court to be invalid, the invalid portion shall be stricken, and such striking shall not affect the validity of the remainder of the Ordinance. If any Court determines that this Ordinance, or any portion hereof, cannot be legally applied to any individual(s), group(s), entity(ies), property(ies), or circumstances(s), such determination shall not affect the applicability hereof to any other individual, group, entity, property, or circumstance.

SECTION 4: **Codification.** Specific authority is hereby granted to codify this Ordinance.

SECTION 5: **Effective Date.** This Ordinance shall be in full force and effect immediately upon its final passage and adoption.

PASSED AND APPROVED on the first reading this ____ day of _____, 2021.

PASSED AND ADOPTED on the second and final reading this ____ day of _____ 2021.

APPROVED:

RONNIE L. FELDER
MAYOR

SHIRLEY LANIER
CHAIRPERSON

ATTEST:

CLAUDENE L. ANTHONY, CMC
CITY CLERK

KASHAMBA MILLER-ANDERSON
CHAIR PRO TEM

TRADRICK MCCOY
COUNCILPERSON

DOUGLAS A. LAWSON
COUNCILPERSON

JULIA A. BOTEL, Ed.D.
COUNCILPERSON

MOTIONED BY: _____

SECONDED BY: _____

J. BOTEL: _____

D. LAWSON: _____

T. McCOY: _____

K. MILLER-ANDERSON: _____

S. LANIER: _____

Reviewed as to form and legal sufficiency

_____ **Date** _____

Dawn S. Wynn, City Attorney