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**CITY OF FIRCREST
ORDINANCE NO. 1657**

**AN ORDINANCE OF THE CITY OF FIRCREST,
WASHINGTON, AMENDING SECTION 1 OF
ORDINANCE NO. 1127 AND FMC 3.12.070 RELATING
TO EXEMPTIONS TO COMPETITIVE BIDDING
REQUIREMENTS.**

WHEREAS, the City Council of the City of Fircrest desires to amend FMC 3.12.070 with regards to exemptions to competitive bidding requirements; and

WHEREAS, the City of Fircrest has determined that it is in the best interest of the City of Fircrest to amend the exemptions to competitive bidding requirements of FMC 3.12.070; Now, Therefore,

THE CITY COUNCIL OF THE CITY OF FIRCREST DO ORDAIN AS FOLLOWS:

Section 1. FMC 3.12.070 and Section 1 of Ordinance 1127 are hereby amended to read as follows:

“3.12.070 EXEMPTIONS TO COMPETITIVE BIDDING REQUIREMENTS

(a) Purchases which by their nature are not adapted to competitive bidding, such as purchases of repairs and purchases of items which may, as a practical matter, only be purchased from a single source, and purchases for repairs or additions to equipment owned by the city which may be more efficiently added to by a certain person or firm, shall not be subject to the competitive bidding requirements of this policy.

(b) RCW 39.30.045, Permits to Purchase, Auction, Closeout, Bankruptcy Sales. If an authorized purchasing coordinator determines that supplies, material, or equipment can be purchased at any public auction, closeout sale, bankruptcy sale or other similar sale, and makes a finding that a purchase at any such auction or sale will be made at a cost below market cost, the city manager may authorize said purchases.

(c) Exchanges. The city may by agreement exchange supplies, materials or equipment with other public agencies.

(d) Interlocal Agreements in Letting of Contracts for Commodities or Services. The city manager may enter into joint purchase agreements (piggybacking) with any and all other agencies for the purchase of any commodity or service as permitted by state law and, where it is determined by the manager to be in the best interest of the city.

(e) Emergency Purchases. In the event that an emergency should arise after office hours, which emergency requires immediate action on the part of the city department involved for the protection of the best interests of the city, or should such a situation arise on a Saturday,

1 Sunday or holiday and where it is not possible or convenient to reach the city manager, any
2 necessary purchase shall be made by the city department for which the purchase is
3 necessary. The purchase shall be reported to the city manager at the first of the next
4 business day. Publication notices may be waived for emergency purchases as provided by
5 law. However, authorized employees must demonstrate a reasonable effort to contact two
6 or more vendors for price quotations.

6 (f) Real Property. Acquisition of real property is exempt from the competitive bidding
7 requirements of this policy. Upon approval of the city council, the city manager may
8 proceed to acquire real property through negotiation. Such negotiations shall be based upon
9 an independent fee appraisal of the property. The city shall not pay more than fair market
10 value for any real property without prior council approval. If the property is acquired in
11 part or in whole with federal funds, such acquisition shall additionally comply with the
12 Uniform Real Property Acquisition and Relocation Assistance Act of 1970, as amended.

12 (g) Purchases Between \$7,500 and \$15,000. Any purchase of supplies, material, or
13 equipment except for public work or improvement, where the cost thereof exceeds \$7,500
14 shall be made upon call for bids.

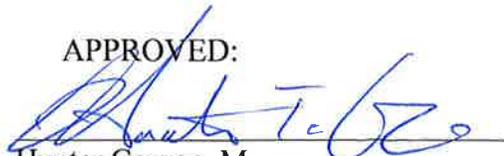
14 Bids shall be called annually and at a time and in the manner prescribed by ordinance for
15 the publication in a newspaper of general circulation in the city of all notices or newspaper
16 publications required by law. The contract shall be awarded to the lowest responsible
17 bidder.

17 For advertisement and formal sealed bidding to be dispensed with as to purchases between
18 \$7,500 and \$15,000, the council or commission must authorize by resolution, use of the
19 uniform procedure provided in RCW 39.04.190.

19 **Section 2** Effective Date: This ordinance shall become effective five (5) days after
20 passage, approval and publication as provided by law.

21
22 **PASSED BY THE CITY COUNCIL OF THE CITY OF FIRCREST,
23 WASHINGTON,** at a regular meeting thereof this 14th day of July 2020.

24 APPROVED:

25 
26 Hunter George, Mayor

26 ATTEST:

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28 Jayne Westman, City Clerk

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APPROVED AS TO FORM:

Michael B. Smith

Michael B. Smith, City Attorney

Publication Date: *July 16, 2020*

Effective Date: *July 21, 2020*