

**CITY OF MOORE
ORDINANCE 991(21)**

**AN ORDINANCE AMENDING PART 7, CHAPTER 2, SECTION 7-202, 7-203, AND
7-205 OF THE MOORE MUNICIPAL CODE BY INCREASING THE CITY
MANAGER’S APPROVAL LIMIT, INCREASING THE THRESHOLD FOR
PURCHASES REQUIRING CITY COUNCIL APPROVAL, INCREASING THE
THRESHOLD FOR PROFESSIONAL SERVICE/EMPLOYMENT CONTRACTS
REQUIRING CITY COUNCIL APPROVAL, INCREASING THE LIMIT FOR
PURCHASES THAT DO NOT REQUIRE BIDDING; PROVIDING FOR A
REPEALER; AND PROVIDING FOR SEVERABILITY.**

NOW THEREFORE, be it ordained by the Council of the City of Moore, in the State of Oklahoma, as follows:

SECTION 1: **AMENDMENT** “Sec 7-202 By Whom Made” of the Moore Municipal Code is hereby *amended* as follows:

A M E N D M E N T

Sec 7-202 By Whom Made

- A. All purchases of supplies, materials, equipment and contractual services for the offices, departments and agencies of the city government shall be made by the city manager or by other city personnel in accordance with purchase authorizations issued by the city manager, and section 7-203.
- B. The city council does hereby authorize the city manager or designee, as authorized by 62 O.S. § 310.1(C), to approve payment of any claims or invoices in an amount of \$22,500.00 or less for supplies, materials, services or equipment submitted to the city for payment. The city manager shall establish an internal control structure adequate to provide reasonable assurance against the unauthorized or illegal payment of invoices. Such system of internal control should include the following control procedures:
 - 1. Proper authorization of transaction and activities;
 - 2. Adequate segregation of duties;
 - 3. Adequate documents and records;
 - 4. Adequate safeguards over access to and use of assets and records; and
 - 5. Independent checks on performance.
- C. Elements of the internal control structures, which are the control environment and the accounting system, must be included. The control environment shall consist of the overall attitude, awareness and actions of the governing body and management, including a foresighted management policy toward financial reporting. The methods and records of an effective accounting system shall result in:
 - 1. Identification and recording of all valid transactions;

2. Description on a timely basis of the type of transaction in sufficient detail to permit proper classification of the transaction for financial reporting;
3. Measurements of the transactions value in a manner that permits recording of its monetary value in the financial statements;
4. Determination of the time period in which the transaction occurred to permit recording of the transaction in the proper accounting period;
5. Proper presentation of the transaction and related disclosures in financial statements.

D. Exceptions.

1. The city manager shall not receive, consider, analyze, process, settle or litigate claims against the city and the authority arising out of any of the areas or risks covered by or included in the program whether or not they are or may be payable from the general operating account created under section 6 of Moore Public Works Authority Resolution 166(97). The city risk management board approval shall be required to settle all non-health related claims in the amount of \$5,000.00 or more and to settle all health related claims regardless of an amount; provided, however, all health related claims in the amount of \$10,000.00 or more shall be considered as a separate item at any regular or special meeting of the city risk management board. The city manager/general manager of the authority may approve the settlement of any non-health related claims \$5,000.00 or less. The authority shall approve the settlement of all non-health related claims in the amount of \$10,000.00 or more as stated in Moore Public Works Authority Resolution 166(97); provided however, all non-health related claims in the amount of \$10,000.00 or more shall be considered as a separate item at any regular or special meeting of the City Council or Moore Public Works Authority.
2. The city council does hereby authorize the city manager or designee to approve payment of any claim or invoices for supplies, materials, services or equipment submitted to the city for payment of monthly utility billing, payments on prior council-approved contractual agreements, and general obligation bond projects pursuant to their contract. Examples of this include the following vendors:
 - a. Oklahoma Natural Gas.
 - b. Oklahoma Gas and Electric.
 - c. Oklahoma Electric Cooperative.
 - d. City of Oklahoma City.
 - e. All American Waste.
 - f. Veolia Water/US Filter/Professional Services Group.
 - g. Silverstar Construction.
 - h. Construction or engineering companies related to G.O. Bond projects.
 - i. Software vendors.

(Prior Code, § 2-227; Code 1999, § 7-202; Ord. No. 95(94), 9-19-1994; Ord. No. 127(95), 6-19-1995; Ord. No. 142(96), 1-16-1996; Ord. No. 213(97), 11-3-1997; Ord. No. 478(04), 9-

20-2004; Ord. No. 545(06), 6-5-2006; Ord. No. 571(07), 1-2-2007)

SECTION 2: **AMENDMENT** “Sec 7-203 Prior Approval Required; Splitting Contracts Prohibited” of the Moore Municipal Code is hereby *amended* as follows:

A M E N D M E N T

Sec 7-203 Prior Approval Required; Splitting Contracts Prohibited

- A. Except as limited herein, every contract for, or purchase of, supplies, materials, equipment or contractual services for more than \$22,500.00 shall require prior approval of the city council. The following contracts or purchases must have council approval regardless of the dollar amount involved, or whether or not they are required to be competitively bid:
1. Contracts for professional services or employment contracts for nonclassified personnel, in excess of \$12,500.00 whether on a full- or part-time basis, or whether for a term certain or at will;
 2. All lease purchase agreements or contract which terms will extend beyond the fiscal year or wherein at the time of termination the city shall be or may be obligated for additional expenditures above the lease purchase price.

Under no circumstances may such contracts or purchases be made without first obtaining approval of the council.

- B. No contracts involving sums in excess of \$50,000.00 shall be split into partial contracts involving sums of below \$50,000.00, nor shall any contracts be made in two or more iterations or sequential executions with the intent to evade the competitive bidding requirements of this Code or state law or with the intent to evade the monetary spending limits imposed by this section. All such partial contracts involving less than \$25,000.00 shall be void.

(Prior Code, § 2-228; Code 1999, § 7-203; Res. No. 262, 10-16-1989; Ord. No. 542, 1-22-1991; Ord. No. 63(93), 10-18-1993; Ord. No. 95(94), 9-19-1994; Ord. No. 127(95), 6-19-1995; Ord. No. 142(96), 1-16-1996; Ord. No. 467(04), 9-20-2004; Ord. No. 572(07), 1-2-2007)

SECTION 3: **AMENDMENT** “Sec 7-205 When Bidding Not Required” of the Moore Municipal Code is hereby *amended* as follows:

A M E N D M E N T

Sec 7-205 When Bidding Not Required

The following may be purchased without giving an opportunity for competitive bidding:

- A. Supplies, materials, equipment or contractual services where cost does not exceed \$100,000.00 in a single transaction or construction management trade contracts or subcontracts not exceeding \$50,000.00;
- B. Supplies, materials, equipment or contractual services which can be furnished only by a single dealer, or which have a uniform price wherever bought;
- C. Supplies, materials, equipment or contractual services purchased from another unit of government at a price deemed below that obtainable from private dealers, including war surplus, or purchased at auction at a price deemed below that obtainable elsewhere;
- D. Equipment to replace existing equipment which has become inoperable when the council declares the purchase an emergency;
- E. Contractual services (gas, electricity, telephone service, and the like) purchased from a public utility at a price or rate determined by the state corporation commission or other government authority;
- F. Supplies, materials, equipment or contractual services when purchased at a price not exceeding a price set therefor by the state purchasing agency, the Federal Purchasing Agency known as the United States General Services Administration (GSA), or any other state or federal agency authorized to regulate prices for things purchased by the state or United States (whether such price is determined by a contract negotiated with a vendor or otherwise); Department of Corrections (DOC) products;
- G. Contractual services of a professional nature, such as engineering, architectural, medical and legal services;
- H. Supplies, materials or equipment purchased from a vendor or another state governmental entity, at a price not exceeding a price established under the competitive bidding process undertaken by the governmental entity, such as a county or city government, provided that the competitive bid was a valid competitive bid, was submitted to more than three vendors, and no more than six months have passed since the receipt of the bids or proposals by the governmental entity. Proof of the above shall be presented to council with any request for an exception under this section;
- I. Public construction contracts not exceeding the amount established by state law, awarded by the city for the purpose of making any public improvements or constructing any public building or making repairs to or performing maintenance on the same. Public improvement as used in the previous sentence shall mean any beneficial or valuable change or addition, betterment, enhancement or amelioration of or upon any real property, or interest therein, belonging to a public agency, intended to enhance its value, beauty or utility or to adapt it to new or further purposes. The term "public improvement" does not include the direct purchase of materials, equipment or supplies by a public agency or any personal property as defined in 62 O.S. § 430.1(B); or
- J. Material or equipment needing repair when covered by a policy of insurance where the repair does not exceed \$15,000.00.
- K. Supplies, materials or equipment purchased from a vendor known as a national or

regional bidding cooperative at a price established under a competitive bidding process undertaken by the bidding cooperative.

(Prior Code, § 2-230; Code 1999, § 7-205; Ord. No. 8(91), 12-16-1991; Ord. No. 95(94), 9-19-1994; Ord. No. 127(95), 6-19-1995; Ord. No. 142(96), 1-16-1996; Ord. No. 343(02), 1-7-2002; Ord. No. 614(08), 2-4-2008; Ord. No. 766(14), 2-18-2014)

SECTION 4: REPEALER CLAUSE All ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

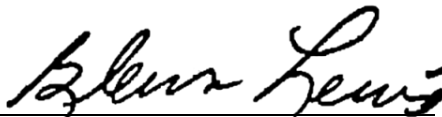
SECTION 5: SEVERABILITY CLAUSE Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinances a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

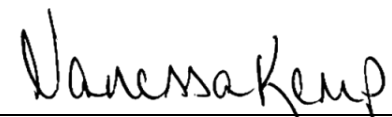
PASSED AND ADOPTED BY THE CITY OF MOORE COUNCIL OCTOBER 18, 2021.

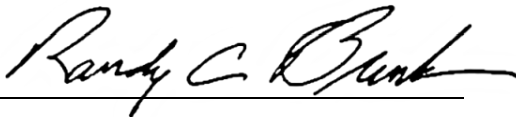
	AYE	NAY	ABSENT	ABSTAIN
Glen Lewis, Mayor	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Danielle McKenzie, Ward 1	<u> </u>	<u> </u>	<u>X</u>	<u> </u>
Adam Webb, Ward 1	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Melissa Hunt, Ward 2	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Mark Hamm, Ward 2	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Louie Williams, Ward 3	<u>X</u>	<u> </u>	<u> </u>	<u> </u>
Jason Blair, Ward 3	<u>X</u>	<u> </u>	<u> </u>	<u> </u>

Presiding Officer

Attest


Glenn Lewis, Mayor, City of Moore


Vanessa Kemp, City Clerk City of
Moore

A handwritten signature in black ink, reading "Randy C. Brink". The signature is fluid and cursive, with the first name "Randy" being more prominent. It is written above a solid horizontal line.

Randy C. Brink, City Attorney,
Approved as to Form, City of Moore

