

ORDINANCE NO. 1126

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF WICKENBURG, ARIZONA AMENDING THE TOWN OF WICKENBURG CODE CHAPTER 4 ADMINISTRATION, ARTICLE 4-4 PURCHASING, BY AMENDING SECTIONS 4-4-8 QUOTATION OR BID REQUIREMENTS, 4-4-9 APPLICATION TO EMPLOYEES AND PROFESSIONAL SERVICES, AND 4-4-10 CHANGE ORDERS; ALL RELATED TO PROCEDURES AND REQUIREMENTS FOR THE PROCUREMENT OF GOODS AND SERVICES BY THE TOWN; AND PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES.

WHEREAS, the Town Council desires to invest in the community by purchasing supplies and services from a local business when it is financially reasonable to do so, and when the business provides local employment opportunities, local tax revenues, and support for charitable organizations serving Town residents;

NOW THEREFORE BE IT ORDAINED by the Mayor and Common Council of the Town of Wickenburg, Arizona as follows:

Section 1. In General

The Code of Wickenburg, Chapter 4 Administration, Article 4-4 Purchasing, is amended by amending Sections 4-4-8 Quotation or Bid Requirements, 4-4-9 Application to Employees and Professional Services, and 4-4-10 Change Orders; to read as follows (deleted text appears in ~~strikeout~~; new text in ALL CAPS):

Section 4-4-8 Quotation or Bid Requirements

- E. WHEN EVALUATING QUOTES AND BIDS, EXCEPT FOR PUBLIC WORKS PROJECTS AS DEFINED IN TITLE 34 OF THE ARIZONA REVISED STATUTES, A LOCAL PREFERENCE WILL BE USED BY DEDUCTING THE LOCAL TRANSACTION PRIVILEGE TAXES (TPT) ALSO KNOWN AS SALES TAX FROM QUOTES RECEIVED FROM LOCAL BUSINESSES.
1. A LOCAL BUSINESS IS DEFINED AS ONE HAVING A FIXED LOCATION WITHIN THE TOWN LIMITS.
 2. TO QUALIFY FOR LOCAL PREFERENCE, THE LOCAL BUSINESS MUST HAVE A BUSINESS LICENSE WITH THE TOWN OF WICKENBURG AND A TPT LICENSE WITH THE ARIZONA DEPARTMENT OF REVENUE.
 - a. BOTH OF THESE LICENSES MUST BE IN PLACE FOR A MINIMUM OF ONE YEAR PRIOR TO THE DATE OF THE QUOTE.
 - b. ANY REPORTS OR PAYMENTS REQUIRED UNDER BOTH OF THESE LICENSES MUST BE CURRENT.

Section 4-4-9 ~~Application to Employees and Professional Services~~

- B. Unless required by Council, the bidding and other requirements of Sections 4-4-8 through 4-4-10 shall not apply to professional services. For purposes of this section, "professional services" ~~include but are not limited to accounting, auditing, engineering, physicians, attorneys or similar professions~~ IS A FIELD FOR WHICH A LICENSE OR CERTIFICATION IS REQUIRED BY FEDERAL OR STATE LAW.

Section 4-4-10 Change Orders

- A. Change orders which do not CAUSE THE PROJECT TO GO OVER THE BUDGET PREVIOUSLY APPROVED BY COUNCIL ~~increase a contract amount may be approved and executed by the Town Manager.~~
- B. Change orders which WILL CAUSE THE PROJECT TO GO OVER THE BUDGET PREVIOUSLY APPROVED BY COUNCIL ~~increase a contract amount may be approved and executed by the Town Manager provided the aggregate of all change orders pertaining to the contract do not exceed \$2,000, change orders exceeding an aggregate of \$2,000 require approval of the Council.~~

Section II. Repeal of Conflicting Ordinances

All Ordinances and parts of ordinances in conflict with the provisions of this ordinance or any part of the code adopted herein by reference are hereby repealed.

Section III. Providing for severability

If any section, subsection, sentence, clause, phrase or portion of this ordinance or any part of the Code adopted herein by reference is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

Section IV. Providing for Penalties

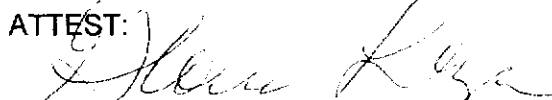
Any person found guilty of violating any provision of this ordinance shall be subject to the penalties set forth in Section 1-8 of the Wickenburg Town Code.

2 PASSED AND ADOPTED by the Town Council of the Town of Wickenburg, Arizona, this day of Dec, 2013.



John H. Cook, Mayor

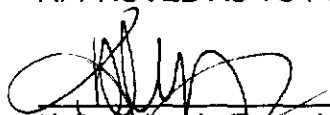
Date Signed: 12/2/13

ATTEST: 

Gloria Leija, Interim Town Clerk

Date Signed: 12/2/13

APPROVED AS TO FORM:



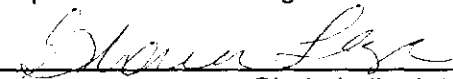
Kelly Schwab, Town Attorney
Curtis, Goodwin, Sullivan, Udall & Schwab, P.L.C.

Date Signed: 12/2/13

Number of Councilmembers Present: 6
Number of Votes For: 6
Number of Votes Against: 0
Number of Abstentions: 0

CERTIFICATION

I HEREBY CERTIFY that the foregoing Ordinance No. 1126 was duly passed and adopted by the Common Council of the Town of Wickenburg, Arizona, at a regular meeting held on the 2 day of Dec 2013, and that a quorum was present at the meeting.


Gloria Leija, Interim Town Clerk