ORDINANCE 26-01

AN ORDINANCE AMENDING THE CITY OF ROSWELL'S PURCHASING PROCEDURES

WHEREAS, The City of Roswell is a local public body subject to the Procurement Code NMSA 1978, § 13-1-67, *and*

WHEREAS, The City has the authority enter into contracts and to procure personal property and services per NMSA 1978, § 3-18-1 *and*

WHEREAS, The Governing Body shall control the finances and property of the municipality, appropriate money for municipal purposes only, and provide for payment of debts and expenses of the municipality, NMSA 1978, § 3-37-2.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF ROSWELL, NEW MEXICO, that:

SECTION Chapter 2 of the Roswell Code is amended as follows

ARTICLE V. PURCHASING PROCEDURES

Sec. 2-141. Application of procurement code.

(a) "Procurement code" shall mean the provisions of the New Mexico Procurement Code as set forth in NMSA 1978, § 13-1-28 through 13-1-199, and all amendments thereto following the effective date of this article.

(b) The City of Roswell, as a non-charter municipality in the State of New Mexico, is subject to the provisions of the procurement code.

(c) The purchasing division of the finance department shall be the central purchasing office for the city, as that term is defined in the procurement code.

(d) Following a 30-day notice and comment period to the Governing Body, the city manager is authorized to adopt and amend policies and procedures for purchases of tangible personal property, services and construction on behalf of the city that are consistent with the provisions of the procurement code. The policies and procedures shall be updated to conform to changes made to the procurement code by the state legislature. The city manager may adopt additional requirements and controls for procurements which are more restrictive than the procurement code.

(e) The threshold amounts set forth under the definition of "small purchases" under the procurement code (NMSA 1978, § 13-1-125), as may be amended, shall apply as part of the city's policies and procedures for the purchases of tangible personal property, services and construction on behalf of the city.

(f) All purchases of tangible personal property, services and construction on behalf of the city shall be subject to the city's policies and procedures for purchasing unless otherwise exempted by the provisions of the procurement code.

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Sec.

(a) Before execution, ansubject to the procurement code valued over $60,000.00 per annum shall be approved by the governing body, shall be ratified as circumstances require.

1. Procurements under existing coappropriatedfor the applic

2. Monthly, all purchases made subject to existing contracts shall be presented to the Finance Committee.

(b) Whenever a competitive sealed proposal is required under the procurement code, the award of such a proposal shall be approved by the Governing Body.

(c) The City Manager shall cause to be presented to the appropriate Governing Body committee, for prior approval, any competitive sealed proposal whose cost is not appropriatedfor the applicable fiscal year. Such presentation shall include the best estimate of anticipated costs for the proposal.

1. Any competitive sealed proposal whose cost is not budgeted for the fiscal year by the

Secs. 2-142-180. Reserved.

PASSED, ADOPTED, SIGNED and APPROVED _____, _____.

CITY SEAL

_____
Timothy Z. Jennings, Mayor

ATTEST

_____
Amalia Martinez, City Clerk