



# Ordinance

OFFICE OF THE  
MAYOR  
CITY OF SAN LUIS

No. 419

**AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SAN LUIS, ARIZONA, AMENDING THE SAN LUIS CITY CODE, TITLE III, REVENUE AND FINANCE, CHAPTER 3.05 PURCHASING, SECTIONS 3.05.010, IN GENERAL, AND 3.05.080 PROFESSIONAL SERVICES TO CHANGE THE AMOUNTS AND PROCEDURES FOR PURCHASES; REPEALING ANY CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.**

**BE IT ORDAINED** by the Mayor and City Council of the City of San Luis, Arizona, as follows:

**Section 1:** Title III, Revenue and Finance, Chapter 3.05, Purchasing, Section 3.05.010, In General, of the City Code of the City of San Luis, Arizona is hereby amended to read as follows:

## § 3.05.010 IN GENERAL

(A) Generally. The city's purchasing agent shall be the Finance Director or such other person or persons as may be designated by the City Manager. No purchase or contract for services of any kind or description, payment for which is to be made from funds of the city, shall be made by the purchasing agent or any officer, employee or agent of the city, except in the manner set forth in §§ 36.01 through 36.12 and unless the purchase is in accordance with the adopted budget. In determining the cost of a purchase or contract, capital lease purchase or contract purchase agreements shall have their value estimated as the cumulative total value of the contract expense to the city. Operating leases shall be valued at the cumulative total of lease payments for the anticipated rental period or for one year from the start of the lease for long-term items, whichever is less. Contracts for services shall be valued at the cumulative total of payments for the anticipated services or for one year from the start of the service contract, whichever is less

(B) Under \$10,000. Whenever any contemplated purchase or contract for service is for the sum of less than \$10,000, the requisitioning

department shall submit a written quote, or with the approval of the purchasing agent, a verbal quote, and the purchasing agent may order the item as needed without further formality. No purchase or contract for service pursuant to this subsection shall be made before approval by the purchasing agent.

(C) \$10,000 to \$44,999.99. Whenever any contemplated purchase or contract service for the sum of at least \$10,000 but not more than \$44,999.99, the requisitioning department, with the assistance of the purchasing department, shall solicit three written quotations (inclusive of all cost) from vendors and submit them to the purchasing department, for awarding to the lowest responsive quote. If three written quotations cannot be obtained, documentation showing vendors contacted that did not offer price quotations or explaining why price quotations were not obtained shall be maintained with the purchasing documents. No purchase or contract for service pursuant to this subsection shall be made before approval by the purchasing agent.

(D) \$45,000 and above. Whenever any contemplated purchase except for professional services as defined in § 36.08, is for the sum of \$45,000 or more, the purchasing agent shall cause to be published in two issues of a newspaper of general circulation, notice inviting sealed bids or requests for proposals, which notice shall be published at least five days before the date set for the receipt of the bids or proposals. The notice herein required shall include a general description of the articles to be purchased or services to be performed and the time and place for the opening of bids or proposals. In addition, the purchasing agent shall post a notice inviting bids or proposals in the city hall. Bids or proposals will be presented to Mayor and Council for award.

(E) State or federal contracts. If either state or federal law or state or federal contract require or provide for a procedure for the acquisition of equipment, supplies, materials, goods, work, or services different than the procedures provided for in this chapter, the provisions of the state or federal law or contract will prevail and supersede the provisions of this chapter.

(F) Procedures waived. For good cause, with the approval of the Council, formal purchase procedures may be waived.

**Section 2:** Title III, Revenue and Finance, Chapter 3.05, Purchasing, Section 3.05.080, In General, of the City Code of the City of San Luis, Arizona is hereby amended to read as follows:

3.05.080 Professional services.

Unless required by the Mayor and Council, the provisions of this chapter

shall not apply to professional services. These services include, but are not limited to, the following: Administrative or appellate hearing officers, appraisal, architectural, bond and municipal improvement district consulting, certified public accountant, clergy, dental, economic and environmental assessments, educator, employee benefits provider, employment, engineering, entertainers, financial, fireworks, indigent defense attorneys, instructors, interim consulting positions for personnel services, judicial appointments, legal, medical, nursing, physician, psychologist, senior meal and senior transportation programs, surveying, tax software, technological, title insurance, travel and tourism center or marketing efforts, and veterinarian and any healthcare-related affiliations. It also includes consulting services of persons with unique skills, abilities, training or experience. Contracts for professional services in excess of \$45,000 must be approved by the Mayor and Council

**Section 3:** In the event of a conflict between the provisions of this ordinance and any other ordinance, resolution, regulation, or policy of the City of San Luis, the conflicting provisions are hereby repealed, superseded, and replaced, and the provisions of this ordinance shall govern.

**Section 4:** If any section, subsection, sentence, clause, phrase or portion of this ordinance 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 5.** Whereas, this ordinance is immediately necessary to handle the city's financial matters efficiently, and it is necessary for the preservation of the peace, health and safety of the City of San Luis, Arizona, an emergency is declared to exist, and this ordinance shall become immediately operative and in force from and after the date of the posting of this ordinance.

**PASSED, ADOPTED and APPROVED** by the Mayor and City Council of the City of San Luis, Yuma County, Arizona this \_\_\_\_ day of July, 2021.

\_\_\_\_\_  
Gerardo Sanchez, Mayor

**ATTEST:**

**APPROVED AS TO FORM:**

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Sonia Cornelio, City Clerk

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Kay Marion Macuil, City Attorney