

CITY OF NEWPORT

ORDINANCE NO. 2208

AN ORDINANCE AMENDING CERTAIN SECTIONS IN CHAPTER 2.30 OF THE NEWPORT MUNICIPAL CODE RELATED TO PUBLIC CONTRACTS

WHEREAS, on March 6, 2023, the Newport City Council held a public hearing on amending certain sections in Chapter 2.30 of the Newport Municipal Code (NMC); and

WHEREAS, the City Council has determined to increase the dollar amount of a public contract the City Manager may enter into without specific Council approval, and to delegate authority to the City Manager to adopt policies and procedures to carry out the rules adopted under this chapter.

THE CITY OF NEWPORT ORDAINS AS FOLLOWS:

Section 1. NMC 2.30.030 (Competitive Process) is amended as set forth below (deleted language shown in ~~strikethrough~~ and language to be added is depicted with underline):

The purposes of state public contracting law and this chapter are:

- A. To obtain public improvements, goods and services of the best quality at the lowest cost to the city.
- B. To avoid favoritism in the award of contracts.
- C. To use a process appropriate to the type and amount of the contract.
- D. To encourage competitiveness among contractors.
- E. To use a ~~fair~~ process appropriate for the ~~sale disposal~~ of surplus ~~private personal~~ property.

Section 2. NMC 2.30.060 (Delegation of Authority) is amended as set forth below (deleted language shown in ~~strikethrough~~ and language to be added is depicted with underline):

- A. The city manager may enter into a public contract that does not exceed ~~\$150,000.00~~ for "goods or services" (as defined in ORS 279A.010) and \$100,000 for all other public contracts without specific Council (board) approval, provided the obligation is part of an adopted budget, the rules of the board are satisfied by written findings and a record is made of the transaction that shows compliance with the rules. ~~The city manager shall advise the Council of all contracts in excess of \$5,000.00.~~ This delegation of authority is subject to the limitations of Section 2.30.070.
- B. ~~The board may by regulation delegate authority to the city manager and others relating to the disposal of surplus property. The city manager may adopt policies~~

and procedures necessary to carry out the rules adopted by the board under Section 2.30.010.

Section 3. NMC 2.30.070 (Limitation on Expenditures) is amended as set forth below (deleted language shown in ~~striketthrough~~ and language to be added is depicted with underline):

The delegated authority to obligate the city shall be subject to the following limitations when making a purchase:

- A. The expenditure shall be for a single complete item or contract; and
- B. The item or contract shall not be a component of a project ~~except in the case of a project that involves a personal services contract and a public contract. In this situation, the personal services contract portion shall be considered a single complete project and the public contract portion shall be considered a single complete project.~~

Section 4 - Effective Date. This ordinance shall become effective 30 days from the date of adoption.

Adopted by the Newport City Council on March 6, 2023.

Signed by the Mayor on March 7, 2023.



Dean H. Sawyer, Mayor

ATTEST:



Erik Glover, City Recorder