

ORDINANCE NO. _____ - 2024

AN ORDINANCE AMENDING SECTION 7-6 OF THE CODE OF ORDINANCES, PERTAINING TO PROVIDING FOR AN ALTERNATIVE PROCESS FOR THE ACCEPTANCE, APPROVAL, AND ESTABLISHMENT OF PRICE CONTRACTS FOR PURCHASES FOR WHICH FUNDS HAVE BEEN BUDGETED, TO ALLOW THE SAME PROCESS TO BE USED FOR FIXED PRICE BIDS AND SOLE SOURCE PROCUREMENTS THAT ONLY REQUIRE THE URBAN COUNTY GOVERNMENT TO ENTER INTO A UNILATERAL CONTRACT OR ISSUE A PURCHASE ORDER, EFFECTIVE UPON PASSAGE OF COUNCIL.

WHEREAS, the Urban County Government previously created and codified a more efficient and timely alternative process for the acceptance, approval and establishment of price contracts for which funds have been budgeted in Section 7-6 of the Code of Ordinances; and

WHEREAS, it is also more efficient and timely to have the option of using a similar process for procurements that only require the Urban County Government to enter into a unilateral contract or a purchase order; and

WHEREAS, including sufficient information on the Mayor's report for approval by Council ensures transparency with such procurement.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT:

Section 1 - That Section 7-6 of the Lexington-Fayette Urban County Government Code of Ordinances be and hereby is amended to read as follows:

Sec. 7-6. Alternative Approval Process for Price Contracts.

- (a) For purchases utilizing either: price contracts, or (ii) fixed price bids or sole source procurements that only require the Urban County Government to enter into a unilateral contract or issue a purchase order, and for which the funds have been budgeted, the administration may place a summary of the acceptance, approval, and establishment of each such procurement [price contract] on the Mayor's Report for Council approval in lieu of a resolution for each procurement.
- (b) At a minimum, the following information must be provided for each procurement: the name of the department or division for which the procurement is being made, a description of the goods or services being procured, and the name(s) of the successful bidder(s).
- (c) The Urban County Council may take any appropriate action with respect to any [price contract] procurement item that is included in the Mayor's Report.

Section 2 - To the extent any ordinance or resolution is in conflict with the provision of this ordinance, the provisions of this ordinance shall take precedence.

Section 3 - If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unlawful by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

Section 4 - That this Ordinance shall become effective on the date of its passage.

PASSED URBAN COUNTY COUNCIL:

MAYOR

ATTEST:

CLERK OF URBAN COUNTY COUNCIL
PUBLISHED: