

CITY OF LEADVILLE, COLORADO
Ordinance No. 7
Series of 2020

**AN ORDINANCE REPEALING AND REPLACING CHAPTER 3.08
OF THE LEADVILLE MUNICIPAL CODE CONCERNING
PROCUREMENT PROCEDURES AND REQUIREMENTS**

WHEREAS, the City Council of the City of Leadville (“City Council”) possesses the authority pursuant to C.R.S. § 31-15-401 and its general police powers to pass and enforce regulations which may be necessary or expedient for the promotion of the health, safety and welfare of the citizens of Leadville; and

WHEREAS, the City previously adopted procurement requirements, codified in Chapter 3.08 of the Leadville Municipal Code and titled “Contracts;” and

WHEREAS, City Council desires to amend Chapter 3.08 such that the City may update its procurement processes and requirements to allow more flexibility and for more timely completion of purchases while ensuring compliance with state law; and

WHEREAS, the City Council finds that this Ordinance in the best interest of public health, safety and welfare.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF CITY OF LEADVILLE, COLORADO, AS FOLLOWS:

Section 1. **Recitals.** The recitals contained above are incorporated herein by reference and are adopted as findings and determinations of the City Council.

Section 2. **Chapter 3.08 Repealed and Replaced.** Chapter 3.08 of the Leadville Municipal Code is hereby repealed and replaced to read in full as follows:

Chapter 3.08 – Procurement

3.08.010 - Public improvements by contract.

All work done by the city in the construction of works of public improvement of every kind and costing more than five thousand dollars (\$5,000.00) shall be done by contract to the lowest responsible and responsive bidder on open bids after ample advertisement. The city shall not be required to advertise for and receive bids for such technical, professional, or incidental assistance as it may deem wise to employ in guarding the interest of the city against the neglect of contractors in the performance of such work.

3.08.020 – Purchasing Policy.

The city council is authorized to establish, and from time to time amend, by resolution a purchasing or procurement policy setting forth requirements and guidelines for all purchases made on behalf of the city. Whenever it is required by law, or deemed desirable by the council, that any contract of the city for construction work, services, equipment, supplies, or other thing, shall be procured through a formal, public and competitive bidding or proposal process, the procedure for obtaining such bids or proposals shall be as provided for in the city's adopted purchasing policy, as may be amended.

Section 3. Remaining Provisions. Except as specifically amended hereby, all other provisions of the Leadville Municipal Code shall continue in full force and effect.

Section 4. Codification Amendments. The codifier of Leadville's Municipal Code is hereby authorized to make such numerical, technical and formatting changes as may be necessary to incorporate the provisions of this Ordinance within the Leadville Municipal Code.

Section 5. Severability. Should any one or more sections or provisions of this Ordinance be judicially determined invalid or unenforceable, such judgment shall not affect, impair or invalidate the remaining provisions of this Ordinance, the intention being that the various sections and provisions are severable.

Section 6. Repeal. Any and all ordinances or codes or parts thereof in conflict or inconsistent herewith are, to the extent of such conflict or inconsistency, hereby repealed; provided, however, that the repeal of any such ordinance or code or part thereof shall not revive any other section or part of any ordinance or code provision heretofore repealed or superseded and this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance or code hereby repealed prior to the taking effect of this ordinance.

Section 7. Safety Clause. The City Council hereby finds, determines, and declares that this Ordinance is promulgated under the general police power of the City of Leadville, that it is promulgated for the health, safety, and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The City Council further determines that the Ordinance bears a rational relation to the proper legislative object sought to be attained.

Section 8. Effective Date. This ordinance shall become effective thirty (30) days after publication following final passage.

CONTINUED ON NEXT PAGE

INTRODUCED, READ, APPROVED AND ORDERED PUBLISHED in full on first reading this 17th day November, 2020.

CITY OF LEADVILLE, COLORADO:



Greg Labbe, Mayor

ATTEST:



Kimberly Jackson, Deputy City Clerk

PUBLISHED in full in The Herald Democrat, a newspaper of general circulation in the City of Leadville, Colorado, on this 24th day of December, 2020.

PASSED AND ADOPTED ON FINAL READING AND ORDERED PUBLISHED, with any amendments, this 5th day of January, 2021.

CITY OF LEADVILLE, COLORADO:



Greg Labbe, Mayor

ATTEST:



Kimberly Jackson, Deputy City Clerk

PUBLISHED BY TITLE ONLY, with any amendments, in The Herald Democrat, a newspaper of general circulation in the City of Leadville, Colorado, following final reading on this 14th day of January, 2021.