

ORDINANCE NO. 24-316

BE IT ORDAINED by the City Council of the City of Huntsville, Alabama, that Article IV, Division 2, Procurement, of Chapter 2, Administration, of the Code of Ordinances, City of Huntsville, is hereby amended to read as follows:

Section 1. Section 2-181: the definition of “Financial Interest” is amended to read as follows:

Financial interest means:

- (1) Ownership of any interest or involvement in any relationship from which or as a result of which a person within the past year has received or is presently or in the future entitled to receive more than \$10,000.00 per year, or its equivalent.
- (2) Ownership of more than five percent of any property or business; or
- (3) Holding a position in a business such as officer, director, trustee, partner, employee or the like, or holding any position of management.

Section 2. Sections 2-184(d)(2) and (3) are amended to read as follows:

- (2) *Small purchases of \$10,000.00 up to the bid limit.* Insofar as it is practical, as determined by procurement services, for small purchases of \$10,000.00 up to the amount required for competitive bids, written competitive prices will be solicited from at least three businesses. Award shall be made to the responsive and responsible business offering the lowest quoted price. Such written quotes shall be maintained as a public record.
- (3) *Small purchases under \$10,000.00.* Procurement services shall adopt operational procedures for making small purchases of \$10,000.00 or less. Such operational procedures shall provide for obtaining adequate and reasonable competition for the supply or service being purchased. Further, such operational procedures shall require the proper accounting for the funds expended and facilitate an audit of the small purchase made.

Section 3. Section 2-188(b)(20)(b) and (c). Purchases with Federal Transit Administration Funds are amended to read as follows:

- (b) Small purchases of \$10,000.00 up to the bid limit. Insofar as it is practical, as determined by procurement services, for small purchases of \$10,000.00 up to the amount required for competitive bids, written competitive prices will be solicited from at least three businesses. Award shall be made to the responsive and responsible business offering the lowest quoted price. Such written quotes shall be maintained as a public record.
- (c) Small purchases under \$10,000.00. Procurement services shall adopt operational procedures for making small purchases of \$10,000.00 or less. Such operational procedures shall

provide for obtaining adequate and reasonable competition for the supply or service being purchased. Further, such operational procedures shall require the proper accounting for the funds expended and facilitate an audit of the small purchase made.

Section 4. Section 2-188(b)(22). Purchases with Federal Transit Administration Funds are amended to read as follows:

(22) Micro-purchase Davis-Bacon. The City of Huntsville, Alabama adheres to the Davis-Bacon Act for prevailing wage and hour restrictions that applies to construction contracts over \$10,000.00.

Section 5. Section 2-188(b)(23). Purchases with Federal Transit Administration Funds are amended to read as follows:

(23) Price quotations (small purchase). Insofar as it is practical, as determined by the City of Huntsville, Alabama for small purchases of \$10,000.00 up to the amount required for competitive bids, written competitive prices will be solicited from at least three businesses. Award shall be made to the responsive and responsible business offering the lowest quoted price. Such written quotes shall be maintained.

Section 6. Section 2-188(b)(56). Purchases with Federal Transit Administration Funds are amended to read as follows:

(56) *Federal clauses.* The City of Huntsville, Alabama will ensure that all applicable FTA clauses and certifications are included in any procurement actions that may utilize FTA funds exceeding the micro-purchase limit and construction contracts over \$10,000.00. To ensure that all FTA clauses and certifications are included in the FTA funded procurement, the procurement division uses a solicitation preparation checklist similar to the form under subsection (c). If it is determined that FTA compliance is required, public transit will use FTA C4220.1F, as amended, "Provisions, Certifications, Reports, Forms, and Other Matrices of Third-Party Provisions," subsection (c) of this ordinance.

Section 7. With the exception of the amendments made herein, all other portions of Chapter 2, Article IV of the Code of Ordinances, City of Huntsville, Alabama shall remain unchanged and in full force and effect.

Section 8. This ordinance shall become effective upon its adoption and approval.

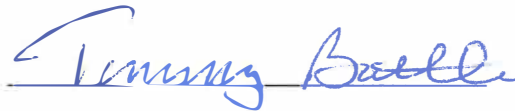
ORDINANCE NO. 24-316 (Cont'd)

ADOPTED this the 9th day of May, 2023.



President of the City Council of
the City of Huntsville, Alabama

APPROVED this the 9th day of May, 2023.



Mayor of the City of Huntsville,
Alabama