

ORDINANCE NO. 26-931

BE IT ORDAINED by the City Council of the City of Huntsville, Alabama that Chapter 2, Article IV, Division 1 of the Code of Ordinance of the City of Huntsville, is hereby amended to read and include as follows:

Sec. 2-181. – Definitions

Responsible bidder means a person who has the capability in all respects to perform fully the contract requirements, and the tenacity, perseverance, relevant experience, integrity, reliability, capacity, facilities, equipment and credit which will assure good-faith performance and other necessary essential qualities to assure financial stability and adequate personnel. For federally funded procurements, it shall also mean a person or entity that is in good standing per the System for Award Management (SAM) database.

Sec. 2-184. – Source Selection and Contract Formation

- (b) *Invitations for bids.* For those types of contracts meeting threshold requirements for competitive bids, invitations for bids shall be issued and shall include specifications and all contractual terms and conditions applicable to the procurement. As permissible under State and Federal statutes (2 CFR 200.321), the City shall take affirmative steps to ensure that small and disadvantaged businesses are considered, included, and informed of procurement opportunities.
- (2) *Bonds.* Bid bonds, performance bonds, and labor and material bonds or other security may be requested for supply contracts or service contracts as procurement services deems advisable to protect the city's interests, and in conformance with the Code of Ala. 1975, tits. 39 and 41 (Code of Ala. 1975, §§ 39-1-1 et seq., 41-1-1 et seq.) and in accordance with the bonding requirements as outlined in the Code of Federal Regulations (2 CFR 200.326) for federally funded procurements. Bid or performance bonds shall not be used as a substitute for a determination of a bidder or offeror's responsibility.
- (8) *Award.* Upon the approval of the city council, contracts shall be awarded with reasonable promptness by appropriate written notice to the lowest responsible and responsive bidder whose bid meets the requirements and criteria set forth in the invitation for bids. For federally funded procurements, prior to contract award or purchase requisition approval the intended awardee status will be checked on SAM.gov to verify if they are a responsible vendor.
- (d) *Small Purchases*
 - (2) The small-dollar threshold shall be established at an amount equal to one-half of the competitive bid threshold as provided in Code of Ala. 1975, § 41-16-50(a) and §39-2-2(a), as amended. For purchases equal to this amount up to the amount requiring competitive bidding under state law, procurement shall, insofar as

practicable, obtain written competitive price quotes from not fewer than three businesses. The award shall be made to the lowest responsive and responsible business submitting a written quotation. All written quotations obtained pursuant to this section shall be maintained as a public record in accordance with applicable law. For federally funded procurements, the City shall adhere to the micro-purchase thresholds established under Federal Acquisition Regulation (FAR) Section 2.101 and 2 CFR 200.320(a)(1), as amended.

- (e) *Professional Services.* For the purpose of procuring professional services as defined by the competitive bid laws of the state or by the Simplified Acquisition Threshold (SAT) for federally funded procurements, any department requiring such services may procure them on its own behalf or with the assistance of procurement services. Any such contract, with a value greater than required for competitive bidding, will require the approval of the city council in the form of a professional services contract.
 - (1) For federally funded services that meet or exceed the Simplified Acquisition Threshold (SAT), a formal request for proposal (RFP) or request for qualifications (RFQ) process shall be adhered to ensure fair and open competition, a written evaluation criteria will be established and included in the RFP/RFQ, and the contract shall be awarded to the most responsible proposer whose proposal is most advantageous to and best addresses the needs and scope of work of the City.
- (h) *Unnecessary or Duplicative Items.* To minimize and/or avoid unnecessary or duplicative procurements, procurements will be subjected to an established requisition approval process prior to the issuance of a purchase order. The process will include, but is not limited to, review of existing inventory and previously approved purchase orders prior to initiating a new request and department head approval.
- (i) *Procurement Records.* The City shall maintain records, written or electronic, detailing the procurement history. Records shall be retained for a minimum of three years. The records will include, but are not limited to the following:
 - (a) Rational for the procurement method
 - (b) Contract type selection
 - (c) Contractor selection or rejection; and
 - (d) Basis for the contract price
- (j) *Procurement Thresholds.* For the procurement of commodities, services, and public works contracts, the following thresholds and quote requirements are established based on the small dollar threshold established under Section 2-184(d)(2):
 - (a) Procurements equal to or below the small dollar threshold shall be procured with receipt of a single quote
 - (b) Procurements above the small dollar threshold up to the competitive bid threshold established by Section 41-16-50(a) and 39-2-2 of the Code of Alabama 1975, as amended, shall be procured with the receipt of three quotes

- (c) Procurements equal to or above the competitive bid threshold shall be procured through a formal competitive bid process.
- (k) *Federally Funded Procurements.* The City shall adhere to the procurement standards set forth under the Code of Federal Regulations, 2 CFR §§ 200.317–200.327, as amended, for all procurements funded wholly or partially with federal funds. These standards—governing competition, procurement methods, documentation, conflict of interest, bonding, and contract provisions—shall be fully observed in all applicable transactions. City personnel shall ensure that procurement activities comply with these federal requirements in conjunction with City procurement and internal grant procedures and guidelines.

ADOPTED this the 22nd day of October 2026.

/s/ Jennie Robinson
President of the City Council
of the City of Huntsville, Alabama

APPROVED this the 22nd day of October 2026.

/s/ Tommy Battle
Mayor of the City of Huntsville,
Alabama