

FILED

ORDINANCE NO. 22-1

2023 MAR -6 AM 9:51

AN ORDINANCE FOR THE PURPOSE OF ESTABLISHING PURCHASING PROCEDURES FOR PURCHASES NOT REQUIRING COMPETITIVE BIDDING, IN ACCORDANCE WITH ARK. CODE ANN. § 14-58-303 (b)

SHERIDAN  
CITY COUNCIL CLERK  
BY: HC DC

WHEREAS, the City of Sheridan requires purchasing procedures for purchases not requiring competitive bidding, and for the preservation of the public health and safety and other reasons;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SHERIDAN, ARKANSAS:

**Section 1. Purpose.** The purpose of this ordinance is to establish procedures for purchasing where competitive bidding is not required by Ark. Code Ann. § 14-58-303 or other state law.

**Section 2. Purchasing responsibility.** The Mayor or such officer(s) and employee(s) as he/she shall designate shall be responsible for the administration of this ordinance.

**Section 3. State or Federal Regulations.** To the extent that state or federal regulations applicable to a particular purchase (for example, grant projects) are more restrictive than the procedures set forth in this ordinance, the state or federal regulations shall apply. In this regard, any required state or federal contract clauses shall be included in all contracts or purchasing orders for items procured with state or federal funding to the extent such clauses are required by the state or federal funding agency.

**Section 4. Standards of Conduct.**

**a. Conflict of interest.** No city employee, elected officer, agent, or immediate family member of any such person shall participate in the purchase of any product or service if a conflict of interest, real or apparent, would be involved. Such a conflict would arise when any of the following has a financial or other interest in the vendor: the employee, elected officer, agent any member of his/her immediate family; or his/her business partner; or an organization that employs, or is about to employ, any of the above.

**b. Prohibition against gratuity and contingent fees.** The elected officers, employees, or agents of the city shall neither solicit nor accept gratuities, favors or anything of monetary value from vendors, contractors, potential contractors or parties to sub-agreements. Provided, however, that unsolicited promotional items of nominal intrinsic value and minimal meal costs incurred as a result of business meetings with vendors or contractors are hereby exempt. Said promotional items may not exceed twenty-five dollars (\$25) per item and said meals may not exceed the Internal Revenue Service (IRS) per diem rate per meal.

**c. Disciplinary action.** Appropriate disciplinary action shall be taken by the city for any

violation of these standards of conduct.

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**Section 5. Cooperative Purchasing and Reverse Internet Auctions.** To the extent that state law authorizes certain purchasing practices such as cooperative purchasing, reverse internet auctions, purchasing cards, etc., those practices shall be allowable.

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 JERAL HARRISON  
 COUNTY & CIRCUIT CLERK  
 GRANT COUNTY, AR  
 BY Hc 06

**Section 6. Purchasing Reviews.**

**a. Contract Review.** All contracts and contract amendments shall be reviewed by the City Attorney prior to execution.

**b. Terms and Conditions.** All contracts shall include the standard terms and conditions for purchases.

**c. Payment Verification.** All invoices submitted for payment shall be audited for accuracy and correctness including submission of complete documentation supporting the invoiced amount. Prior to approval for payment, invoices shall be reviewed for verification that all work was performed as invoiced; that all products or services were received or provided as invoiced; and that the contract terms and conditions were met.

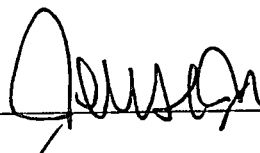
**Section 7. Emergencies.** Notwithstanding the foregoing, in case of accident, disaster, or other circumstance creating an emergency, the Mayor may award contracts and make purchases for the purpose of meeting said emergency. Whenever an emergency purchase or contract is required or made, the Mayor shall execute a certificate describing the nature of the emergency and the necessity for such action together with an itemized account of all expenditures.

**Section 8. Conflicts.** All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of said conflict.

**Section 9. Emergency clause.** This ordinance being necessary for the protection of the public peace, health, and safety, an emergency is hereby declared to exist; and this ordinance shall be in full force and effect from and after its passage.

PASSED AND APPROVED this 1ST day of FEBRUARY, 2022.

MAYOR



ATTEST:

RECORDER

