

THE CITY OF WARWICK  
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

CHAPTER 56  
PURCHASING

No..... Date.....

Approved.....Mayor

Be it ordained by the City of Warwick:

Section I. Chapter 56 of the Code of Ordinances of the City of Warwick is hereby amended to add the following:

**Sec. 56-5. Bid procedure.**

- (a) *Submission of bids.*
  - (1) All bids shall be submitted in a sealed enclosure and clearly marked as such. Bids opened inadvertently due to lack of proper identification shall be immediately resealed, and a log of such occurrences maintained by the purchasing agent.
  
- (b) *Bid opening meetings.*
  - (1) Bids shall be opened at a public meeting at the time, date and place contained in invitation to bid. The purchasing agent shall prepare and post an agenda notice at least five days prior to the scheduled meeting date.
  - (2) The opening of bids shall be in the order established by the posted agenda and the agenda shall continue uninterrupted until completion.
  - (3) Once an agenda item has been reached and any bid on that agenda item has been opened, no other bid on that agenda item will be accepted and any such bid shall be deemed late.
  
- (c) *Determination of lowest responsible bidder.* In determining the lowest responsible bidder, the awarding authority, consistent with section 6-12 of the Charter, shall consider:
  - (1) The ability, capacity and skill of the bidder to perform the contract or provide the service required.
  - (2) Whether the bidder can perform the contract or provide the service promptly, or within the time specified, without delay or interference.
  - (3) The character, integrity, reputation, judgment, experience and efficiency of the bidder.
  - (4) The quality of performance of previous contracts or services.
  - (5) The previous and existing compliance by the bidder with laws and ordinances

- relating to the contract or service.
- (6) The sufficiency of the financial resources and ability of the bidder to perform the contract or provide the service.
  - (7) The quality, availability and adaptability of the supplies or contractual services to the particular use required.
  - (8) The ability of the bidder to provide future maintenance and service for the use of the subject of the contracts.
  - (9) The vendor's location alone is not a criteria, but the total cost of a purchase shall be considered when evaluating the lowest qualified bidder. Total cost includes: handling/shipping fees and transportation surcharges connected to the initial purchase and any follow-on maintenance or training needs.

(d) *Award to other than low bid.* When a bid is awarded to other than the lowest bid, a full and complete statement of the reasons therefor shall be prepared and maintained by the purchasing agent for bids between \$1,000.00 and \$2,500.00 and shall be placed on the public record of the city council for bid items in excess of \$2,500.00.

(e) *Authorization of further negotiation.* When proposals for bid are submitted to the city, and, in the opinion of the city council finance subcommittee, further negotiation with the low bidder may result in a decrease in the price bid for the bid item as specified, the city council finance subcommittee may authorize the finance director to negotiate with the low bidder only, such negotiation to occur prior to the awarding of the bid. The finance director, in any case in which he/she has been authorized to negotiate pursuant to this subsection, shall report to the city council finance subcommittee at the business meeting next following said authorization.

(f) *Post Bid Award requirement.* When a bid is awarded to a corporation, limited liability company or other legal entity, prior to commencing work under the awarded bid, that corporation, company or legal entity shall provide to the purchasing agent a certificate of good standing from the Rhode Island Secretary of State dated no more than thirty (30) days prior to the date upon which the bid award was made. If the vendor to whom the bid is awarded was previously awarded another bid and the vendor provided a certificate of good standing from the Rhode Island Secretary of State for the prior bid which is less than one year old from the date of its issuance, then a new certificate of good standing from the Rhode Island Secretary of State shall not be required for the subsequent bid award.

Section II. This Ordinance shall take effect upon passage and publication as prescribed by law.

SPONSORED BY: COUNCILMAN SOLOMON

COMMITTEE: ORDINANCE