

**12.000 PURCHASING, CONTRACTING AND SELLING PROCEDURE
VILLAGE OF MANCELONA, MICHIGAN
chap.1124 eff. May 23, 1960, amend ord. 119 March 24, 2023**

12.001 Section 1. PURCHASING AGENT.

The Village Clerk shall act as Purchasing Agent of the Village, unless another officer or employee shall be designated to act as Purchasing Agent by the Village President. The Purchasing Agent, with the approval of the Village President, shall adopt any necessary rules respecting requisitions and purchase orders.
(chap. 1124 eff. May 23, 1960; ord. no. 119 eff. March 24, 2023)

12.002 Section 2. PURCHASES OR CONTRACTS UNDER \$5000.00.

Purchase of supplies, non-emergency repairs, materials or equipment, the cost of which is less than \$5000.00, may be made in the open market.
(chap. 1124 eff. May 23, 1960; ord. no. 73 eff. July 7, 1987; ord. no. 119 eff. March 24, 2023)

12.003 Section 3. PURCHASES OR CONTRACTS OVER \$5000.00

Any expenditure for supplies, materials, equipment, construction project or contract obligating the Village, where the amount of the Village's obligation is in excess of \$5000.00 shall be governed by the provisions of this section.

- a. Expenditures under this section shall be made the subject of a written contract. All contracts may be reviewed and approved by the Village Attorney. This requirement may be waived by a majority vote of the Village Council.
- b. For purchases over \$25,000.00 a sealed competitive bid process will be used. An appropriate notice inviting sealed competitive bids shall be published in a newspaper of general circulation at least seven (7) business days before the final date for submitting the bids.
- c. The purchasing agent shall solicit bids from a reasonable number of qualified prospective bidders as are known to the purchasing agent by sending each a copy of the notice requesting bids. Notice of the bid process shall be available at the Village office.
- d. The Village Council may require a performance and/or a labor and material bond written by a surety company authorized to do business in the State of Michigan. The Village Council may fix the amount of performance bond and in the case of construction contracts, the amount of the labor and material bond to be required of the successful bidder.
- e. All sealed bids shall be opened in public at the time and place designated in the notice requesting sealed bids and in the presence of the Village Clerk or Village Treasurer. The

bids shall be reviewed and tabulated and reported to the Village Council with the recommendation of the purchasing agent at the next regular meeting of the Village Council. After tabulation, all bids may be inspected by the competing bidders.

- f. When such bids are submitted to the Village Council, the contract to be executed shall also be submitted and if the Village Council shall find any of the bids to be satisfactory, it shall award the contract to the selected bidder and shall authorize execution of the contract. Upon execution of the contract by the successful bidder and the filing of any bonds which may have been required, which bonds may be approved by the Village Attorney as to form and content. The Village Council shall have the right to reject any or all bids and to waive irregularities in the process and to accept bids which do not conform in every respect to the bidding requirements, provided that the Village Council shall not have the authority to accept a bid of lower specifications without re-advertising.
- g. If any successful bidder fails or refuses to enter into the contract awarded to them within five (5) days after the same time, the Village Council may award the contract to the next successful bidder or such contract may be re-advertised.
(chap. 1124 eff. May 23, 1960; ord. no. 73 eff. July 7, 1987 ord. no. 119 eff. March 24, 2023)

12.004 Section 4. **PROFESSIONAL SERVICES AND WAIVING COMPETITIVE BIDDING PROCESS**

Competitive bidding shall not be required for contracts for professional services. In any other case where competitive bidding clearly is not practical or where no advantage would result to the Village to require competitive bidding, the Village Council, upon written recommendation of the purchasing agent, may authorize, by a majority vote, the execution of a contract without competitive bidding. Where a contract is let without competitive bidding, the proposed contract shall be approved by the Village Council.

Using the State of Michigan purchasing contracts or other recognized/government sponsored bid process is permitted to satisfy the bid process. The State contracts and other recognized state processes have already been competitively bid and used without an additional bid process. The use of MiDeal (the State of Michigan's extended purchase program) shall satisfy the bid process. (ord. no. 119 eff. March 24, 2023)

12.005 Section 5. **EMERGENCY PURCHASES**

In the case of an emergency, any department head, with the approval of the Purchasing Agent and the Village President, may purchase directly any supplies, repairs, materials or equipment, the immediate procurement of which is necessary to the continuation of the work of the department. Such purchases and the emergency causing them shall be reported in detail to the purchasing agent and/or the Village President immediately. (ord. no. 119 eff. March 24, 2023)

12.006 Section 6. **SALE OF PROPERTY.**

Whenever any property belonging to the Village is no longer needed for public purposes, the same may be offered for sale on approval by the Council. Property not exceeding twenty-five hundred (\$2500.00) dollars in value may be sold for cash by the Purchasing Agent upon approval of the Village President. Property with a value in excess of twenty-five hundred (\$2500.00) dollars may be sold after advertising and receiving competitive bids, as provided in chapter 12.000 and after approval of the sale has been given by the Council. (chap. 1124 eff. May 23, 1960 ord. no. 119 eff. March 24, 2023)

12.007 Section 7. **SALE OF REAL ESTATE.**

Real estate may be purchased or sold or leased when not required for corporate purposes, upon the affirmative vote of two-thirds of the member elect of the Council. Sales of real estate shall be subject to the requirements of chapter 12.000. The notice inviting bids shall contain a description of the property.