

ORDINANCES
MILES CITY, MONTANA

ORDINANCE NO. 1330

AN ORDINANCE AMENDING SECTIONS 2-246 AND 2-247 OF THE CODE OF ORDINANCES OF MILES CITY, MONTANA, WITH REGARDS TO ADVERTISEMENT AND OPENING OF BIDS FOR PURCHASE OF EQUIPMENT.

BE IT ORDAINED, by the City Council of the City of Miles City, Montana, as follows:

Section 1. Section 2-246 shall be amended to read as follows:

Sec. 2-246. - Advertisement for bids.

- (a) Except as provided in MCA 7-5-4303, 7-5-4310, or MCA title 18, chapter 2, part 5, all contracts for the purchase of any vehicles, machinery, apparatus, appliances, equipment or for any materials or supplies, or for construction, repair or maintenance involving an expenditure in excess of \$80,000.00 shall be let in conformity with the provisions of state law. All such contracts shall be advertised by the city clerk by publishing a call for bids in the manner provided by state law.
- (b) Other contracts may be advertised as the city council may, by order or resolution duly entered on its minutes, direct.
- (c) The advertisement shall be in such form as the party or parties having the matter in charge may direct, and shall contain a general reference to the subject matter of the proposed contract, its terms and conditions, with such specifications as the nature of the same permits, or a designation of the place where such specifications may be seen, and may require security to accompany each bid. The advertisement shall comply with MCA title 18, chapter 1, part 4. The advertisement shall also contain a notice that sealed bids or proposals will be received by the city clerk at the office of city clerk or at council chambers until the opening of the bids on a date therein to be specified, and a statement to the effect that the city reserves the right to reject any or all bids. The advertisement shall show by whom it is ordered advertised and shall be signed by the city clerk/treasurer.
- (d) As a condition precedent to considering any such bid, as evidence of good faith on the part of the bidder, and as indemnity for the benefit of the city against the failure or refusal of any bidder to enter into any written contract that may be awarded upon and following acceptance of bid, any bid submitted shall contain a written covenant of indemnity, conditioned as prescribed in MCA title 18, chapter 1, part 2, and the bid shall be accompanied by bid security of ten percent of the total bid amount, for the performance of such covenant. The form of security shall comply with MCA title 18, chapter 1, part 2.
- (e) All advertisements by publication for contract bids shall be published in a daily newspaper of general circulation published in the city, if there be such, once each week for two consecutive weeks with at least six days separating each publication. The second publication shall be made not less than five days or more than 12 days before the consideration of bids.

Section 2. Section 2-247 shall be amended to read as follows:

Sec. 2-247. - Bid openings.

- (a) The city clerk shall receive bids up until the earlier of 5:00p.m., or the noticed meeting time, of the day the council will be in session either for a regular meeting or any special meeting called to consider such bids.
- (b) The bids shall be opened by the city clerk in the presence of the city council while in actual session.

Section 3. This Ordinance shall become effective thirty (30) days after its final passage.

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Said Ordinance read and put on its passage this 12th day of March, 2019.

ATTEST:


Lorrie Pearce, City Clerk


John Hollowell, Mayor

FINALLY PASSED AND ADOPTED this 26th day of March, 2019.

ATTEST:


Lorrie Pearce, City Clerk


John Hollowell, Mayor