

**ORDINANCE NO. 1023-2011**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI SPRINGS AMENDING CODE OF ORDINANCE SECTION 31-11, PURCHASING, PROCUREMENT AND SALE PROCEDURES; BY ADDING THERETO A PROVISION TO PERMIT CITY "PIGGYBACKING" PURCHASING FROM PRIVATE SECTOR COOPERATIVE PURCHASING AND NOT-FOR-PROFIT COMPANIES; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; EFFECTIVE DATE.**

**WHEREAS**, the current City Purchasing Ordinance has always permitted the City to make purchases by "piggybacking" on the bids or contracts of the state or other local governments; and,

**WHEREAS**, as a result of recent economic conditions and the need to secure goods and services at the lowest possible prices, the idea of securing bargains through the volume purchasing of governmental entities has expanded into the private sector; and,

**WHEREAS**, by including private sector Cooperative Purchasing and Not-For-Profit Companies within the purchasing authority of the City's Ordinance, many additional procurement opportunities will be available to the City; and,

**WHEREAS**, purchasing by "piggybacking" continues to eliminate the time consuming tasks of duplicating research and administrative paperwork, while reducing lead times on purchases and providing a greater availability of products and services on demand; and,

**WHEREAS**, many governmental entities have authorized the use of these "Private Sector Companies" in order to take advantage of lower costs, reduced administrative time, and the virtual elimination of bid protests by vendors; and,

**WHEREAS**, in the final analysis, the addition of this authorized method of purchasing for the City is simply another tool that may be utilized by the City Staff in the acquisition of required goods and services for the City; and,

**WHEREAS**, the City Council has determined that it is both proper and appropriate, and in the best interests of the City and its citizens, to authorize "piggybacking" purchasing from private sector companies for the City:

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MIAMI SPRINGS, FLORIDA:**

**Section 1:** That Code of Ordinance Section 31-11, Purchasing, Procurement and Sale Procedures, is hereby amended as follows:

Section 31-11. Purchasing, Procurement and Sale Procedures.

- (A) ...
- (B) ...
- (C) ...
- (D) ...

(1) The City Purchasing Agent shall have the following duties, responsibilities and authority:

- (a) ...
- (b) ...
- (c) ...

(d) To join with other governmental entities and private sector Cooperative Purchasing and Not-For-Profit Companies in cooperative purchasing plans when the best interests of the City would be served thereby.

(e) ...

(f) ...

(g) ...

(h) ...

(i) ...

(j) ...

(2) ...

(E) Methods of Competitive Purchasing and Procurement; Exceptions.

(1) ...

(2) ...

(3) ...

(4) ...

(5) All purchases of supplies, materials, or contractual services under the provisions of state or local government, or private sector Cooperative Purchasing or Not-For-Profit Companies, bids or contracts shall be exempt from the competitive bid requirements otherwise applicable to such purchases, provided that:

(a) ...

(b) ...

(c) ...

(6) ...

(F) ...

(G) ...

(H) ...

(I) ...

**Section 2:** That all Ordinances or parts of Ordinances in conflict herewith are hereby repealed insofar as they are in conflict.

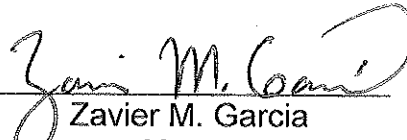
**Section 3:** That the provisions of this Ordinance shall be effective immediately upon adoption by the City Council.

**PASSED AND ADOPTED** by the City Council of the City of Miami Springs,  
Florida this 22<sup>nd</sup> day of August, 2011.

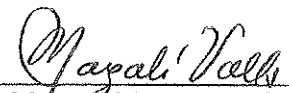
The motion to adopt the foregoing ordinance was offered on  
second reading by Councilwoman Ator, seconded by Vice  
Mayor Best, and on roll call the following vote ensued:

Vice Mayor Best	"aye"
Councilman Espino	"aye"
Councilman Lob	"aye"
Councilwoman Ator	"aye"
Mayor Garcia	"aye"

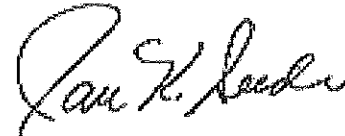


  
Zavier M. Garcia  
Mayor

**ATTEST:**

  
Magali Valls, CMC  
City Clerk

**APPROVED AS TO FORM AND LEGAL SUFFICIENCY**

  
Jan K. Seiden, Esquire  
City Attorney

First reading: 06/27/2011  
Second reading: 08/22/2011

Words ~~stricken through~~ shall be deleted. Underscored words constitute the amendment proposed. Words remaining are now in effect and remain unchanged.