

RESOLUTION NO. 2015-11

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF BERLIN, MARYLAND, A MARYLAND MUNICIPAL CORPORATION, REPEALING AND RE-ENACTING SECTION C7-23 OF THE TOWN CHARTER TITLED "PURCHASING AND CONTRACTS".

WHEREAS §C7-23 as currently written does not reflect modern practices in purchasing; and

WHEREAS the Mayor and Council desire to adopt a Purchasing Policy, to be maintained and available in the office of the Town Administrator and/or designee, as amended from time-to-time.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE TOWN OF BERLIN THAT §C7-23 OF THE TOWN CHARTER BE REPEALED AND REPLACED AS FOLLOWS:

Sec. C7-23. - Purchasing and contracts.

~~All purchases and contracts for the town government shall be made by the administrative director [town administrator]. The council may provide, by ordinance, for rules and regulations regarding the use of competitive bidding for all town purchases and contracts. All expenditures for supplies, materials, equipment, construction of public improvements or contractual service involving more than \$1,000[.00] shall be made on written contract. The administrative director [town administrator] shall be required to advertise for sealed bids, in such manner as may be prescribed by ordinance, for all such written contracts in excess of \$10,000[.00]. The administrative director [town administrator] shall be required to solicit bids (advertising and sealed bids not required) for all such written contracts in excess of \$1,000[.00] but less than or equal to \$10,000[.00]. Such written contracts shall be awarded to the bidder who offers the lowest bid or best quality of goods and work and best time of delivery or completion. The responsibility of bidders shall also be considered. All such written contracts shall be approved by the council before becoming effective. The administrative director [town administrator] shall have the right to reject all bids and readvertise. The town at any time, in its discretion, may employ its own forces for the construction or reconstruction of public improvements without advertising for or readvertising for or receiving bids. All written contracts may be protected by such bonds, penalties and conditions as the town may require. Upon obtaining the prior approval of the council, the town, acting through the mayor and administrative director [town administrator], may enter into the following contracts without solicitation of competitive bids:~~

- ~~A. Contracts of lease or purchase of real estate.~~
- ~~B. Contracts of lease or purchase of motor vehicles.~~
- ~~C. Accounting service contracts.~~
- ~~D. Insurance contracts.~~

- E. ~~Architectural services contracts.~~
- F. ~~Engineering services contracts.~~
- G. ~~Surveying services contracts.~~
- H. ~~Legal services contracts.~~
- I. ~~Computer hardware and software contracts.~~
- J. ~~Interior design and decorating contracts.~~

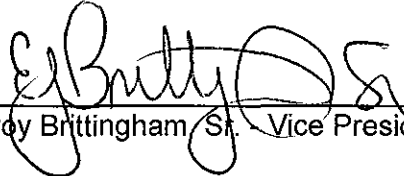
All purchases and contracts for the Town of Berlin shall be made according to the Purchasing Policy as approved by the Mayor and Council and as amended from time-to-time. Said Policy shall be maintained in the office of the Town Administrator and/or designee and shall be available for inspection upon request, subject to the provision of the Maryland Public Information Act..

THE ABOVE RESOLUTION was introduced and duly passed at a meeting of the Town of Berlin, Maryland held on the 10th day of August, 2015 and is to become effective fifty (50) days from passage on the 29th day of September, 2015.


ATTEST:



Laura Allen, Town Administrator



Elroy Brittingham, Sr. Vice President



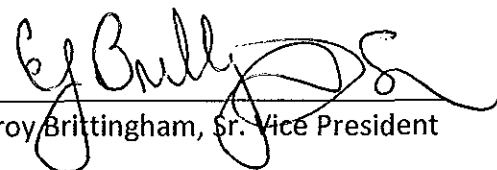
Wm. Gee Williams, III, Mayor

MOTION TO APPROVE


A MOTION OF THE MAYOR AND COUNCIL OF THE TOWN OF BERLIN TO APPROVE AND ENACT A PURCHASING POLICY AS ATTACHED.

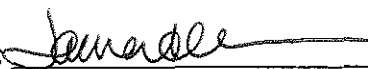
THE PURCHASING POLICY WILL NOT BE IN EFFECT UNTIL SUCH TIME AS RESOLUTION 2015-11 IS PASSED AND BECOMES EFFECTIVE AMENDING THE CHARTER OF THE TOWN OF BERLIN, SECTION C7-23, "PURCHASING AND CONTRACTS".

APPROVED THIS 10th DAY OF August, 2015 BY THE MAYOR AND COUNCIL OF THE TOWN OF BERLIN, MARYLAND BY AFFIRMATIVE VOTE OF 5 TO 0 OPPOSED, WITH 0 ABSTAINING.


Elroy Brittingham, Sr. Vice President

Approved this 10th day of August, 2015 by the Mayor of the Town of Berlin.


Wm. Gee Williams, III, Mayor

ATTEST: 
Laura Allen
Town Administrator