

AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA AMENDING CHAPTER 8, SECTION 204 OF THE CODE OF THE CITY OF NORMAN TO ALLOW PERFORMANCE BASED EFFICIENCY CONTRACTS, AS AUTHORIZED BY STATE LAW, AS AN EXCEPTION TO COMPETITIVE BIDDING; AND PROVIDING FOR THE SEVERABILITY THEREOF.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA:

§ 1. That, Section 8-204 of Chapter 8 of the Code of the City of Norman, Oklahoma be amended as follows:

Sec. 8-204. - Competitive bidding required; exceptions.

- (a) Except as hereinafter provided, all purchases of, or contract for, supplies, materials, equipment, or contractual services shall be made through competitive bidding.
- (b) Excepted from the requirement of competitive bidding are the purchases of or contracts for:
 - (1) Supplies, materials, equipment, or contractual services whose cost in a single transaction does not exceed the minimum amount defined in the "Public Competitive Bidding Act of 1974" as set forth in 61 O.S. § 102.
 - (2) Supplies, materials, equipment, or contractual services which can be furnished only by a single dealer, or which have a uniform price wherever bought.
 - (3) Supplies, materials, equipment, or contractual services purchased from another unit of government at a price deemed below that obtainable from private dealers, including war surplus.
 - (4) Supplies, materials, equipment, or contractual services when purchased at a price not exceeding a price set therefor by the state purchasing agency or any other state agency authorized to set prices for things purchased by the state.
 - (5) Supplies, materials, equipment, or contractual services whose purchase is approved by the Council as necessary for the immediate preservation of the peace, health, or safety.
 - (6) Contractual services of a professional nature, such as engineering, architectural, and medical services.

(7) Contractual services (gas, electricity, telephone service, etc.) purchased from a public utility at a price or rate determined by the State Corporation Commission or other government authority.

(8) Supplies, materials, equipment or contractual services provided under a performance based efficiency contract as defined in, and meeting the requirements of, 62 O.S. §318, as may be amended from time to time.

§ 2. SEVERABILITY. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held invalid or unconstitutional, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of this Ordinance.

ADOPTED this ____ day
of _____, 2021.

NOT ADOPTED this ____ day
of _____, 2021.

Mayor

Mayor

ATTEST:

City Clerk