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ORDINANCE NO. 30

**AN ORDINANCE TO ESTABLISH
A PROCESS FOR THE PROCUREMENT OF
MATERIEL AND SERVICES
FOR THE TOWN OF FRANKFORD**

WHEREAS, pursuant to Section 26 of "An Act to Reincorporate the Town of Frankford", as set out in 61 Del. Laws Ch. 401, as amended in 78 Del. Laws Ch.17, the Town Council has the authority to provide by ordinance the rules, regulations or procedures by which the Town of Frankford uses competitive bidding, awards contracts for all Town purchases and contracts, and procures materiel and services.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE TOWN COUNCIL OF THE TOWN OF FRANKFORD:

Section 1. The procedures for the award of contacts and the procurement of materiel and services are as follows:

A. For the award of contracts for materiel and non-professional services of greater than \$7,500, but less than \$22,500, the Town Council or its designee

1. May cause to be published an public advertisement of proposals for bids in at least two (2) newspapers, one (1) of which shall be a general circulation in the Town, for at least one a week for two (2) weeks; or
2. May obtain written proposals from not less than three (3) vendors.

The Town Council shall record each vendor's name, address, and telephone number; contact person (if other than vendor); date of quoted price, and proposed delivery time. If competitive quotes cannot be obtained, justification for purchase shall be documented. A contract shall be awarded to the lowest responsive and responsible vendor.

B. For the award of contracts for materiel and non-professional services of \$22,500 or more, the Town Council shall comply with the requirements of the State Procurement Act, 29 Del. C. Chapter 69, Subchapters III and IV, as amended; provided, however, the requirements of

1 Section 6960 shall not apply to the Town of Frankford unless otherwise required by State or
2 Federal law or as a condition of the acceptance of any loan or grant from any State or Federal
3 agency.

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5 Section 2. The award of contracts involving professional services, such as accounting,
6 architecture, auditing, engineering, law, planning and surveying, shall be excluded from the
7 requirements set forth above, except that the Town Council shall advertise the intention to
8 negotiate such contracts of greater than \$7,500 for professional services in accordance with
9 Section 1.A.1., above.

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12 Section 3. This Ordinance shall be effective upon its adoption by a majority of all members
13 elected to the Town Council of Frankford.

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17 **TOWN OF FRANKFORD**

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20 By: *James W. Pruitt III*
21 President

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24 Attest: *Cheryl R. Workman*
25 Secretary

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29 Adopted: *July 5, 2011*
30 *THT*