

**FILE OF THE CITY CLERK**

**ADMINISTRATION ORDINANCE NO. 6 - 2008**

**ADMINISTRATION BILL NO. 6 - 2008**

**INTRODUCED – APRIL 23, 2008**

**ADOPTED BY COUNCIL – MAY 13, 2008**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LANCASTER, LANCASTER COUNTY, PENNSYLVANIA AMENDING THE CODE OF THE CITY OF LANCASTER, CHAPTER 5— ADMINISTRATIVE DEPARTMENTS AND BUREAUS, ARTICLE V— BUREAU OF PROCUREMENT AND COLLECTIONS, REMOVE REFERENCES TO THE CITY BUYER AND TO AMEND THE POWERS OF THE BUREAU OF PROCUREMENT; PROVIDING FOR THE REPEAL OF INCONSISTENT ORDINANCES; PROVIDING FOR THE SEVERABILITY OF THE ORDINANCE; AND PROVIDING THAT THE ORDINANCE SHALL TAKE EFFECT AS PROVIDED BY PENNSYLVANIA LAW.**

NOW, THEREFORE, BE AND IT IS HEREBY ORDAINED AND ENACTED by the City Council of the City of Lancaster, Lancaster County, Pennsylvania, as follows:

**SECTION 1.** The Code of the City of Lancaster, Chapter 5—Administrative Departments and Bureaus, Article V—Bureau of Procurement and Collections, Sections 5-11 through 5-15, be and hereby are amended to read as follows:

**“§ 5-11. Establishment.**

There is established in the Department of Administrative Services the Bureau of Procurement and Collections (the “Bureau”), the head of which shall be the Bureau Chief of Procurement and Collections.

**§ 5-12. Powers.**

The Bureau of Procurement shall have the power, and it shall be its duty, to purchase or contract for all supplies, materials, equipment and contractual service needed by any and all departments, bureaus, boards, commissions and other agencies of the City which are hereinafter referred to as the Using Agencies. Such power shall include, but not be limited to, authority as to preparation of specifications, letting of bids, award of contracts, and payment of bills. In addition, any board, commission or other organization receiving contributions towards its support from City funds may request the Bureau of Procurement and Collections to make available the Bureau's purchasing facilities, and the Director of the Department of Administrative Services shall have the power to grant such a request.

**§ 5-13. Requisitions and estimates.**

All using agencies of the City shall file with the Bureau detailed estimates of their requirements in supplies, materials, equipment and contractual services in such manner and at such times and for such future periods as the Bureau shall prescribe. This shall in no way prevent any using agency from filing with the Bureau at any time a requisition for any supplies, materials, equipment or contractual services, the need for which was not foreseen when the detailed estimates were filed.

**§ 5-14. Formal contract procedure.**

Formal contract procedure shall be in compliance with all of the laws of the Commonwealth of Pennsylvania governing the same. In addition, the Bureau shall, by rules and regulations, prescribe the procedure for internal controls.

**§ 5-15. Informal contract procedure.**

Informal contract procedure shall be in compliance with all of the laws of the Commonwealth of Pennsylvania governing the same. In addition, the Bureau shall, by rules and regulations, prescribe the procedure for internal controls.

**§ 5-16. Encumbrance of funds.**

Except in cases of emergency, the Bureau shall not issue any order for delivery on a contract or open market purchase until the City Controller shall have certified that there is, to the credit of each of the using agencies concerned, a sufficient appropriation balance in excess of all unpaid obligations to defray the amount of such order.

**§ 5-17. Emergency purchases.**

In case of actual emergency and with the consent of the Bureau, any using agency may purchase directly any supplies, materials or equipment parts whose immediate procurement is essential to prevent delays in the work of the using agency which may vitally affect the life, health or convenience of citizens. The Bureau shall, by rules and regulations, prescribe the procedure under which such emergency purchases may be made.

**§ 5-18. Inspection and testing.**

The Bureau shall inspect or supervise the inspection of deliveries of supplies, materials, equipment or contractual service to determine their conformance with the specifications set forth in the order or contract. Any department having the staff and facilities for adequate inspection may be authorized by the Bureau to inspect all deliveries made to such using agencies under rules and regulations which the Bureau shall establish. The Bureau shall have authority to require chemical and physical tests of samples submitted with bids and samples of deliveries which are necessary to determine their quality and conformance with the specifications. In the performance of such tests, the Bureau shall have authority to make use of laboratory facilities of any agency of the City government or any outside laboratory.

**§ 5-19. Surplus stock.**

All using agencies shall submit to the Bureau, at such times and in such form as he shall prescribe, reports showing stocks of all supplies, materials and equipment which are no longer used or which have become obsolete, worn out or scrapped. The Bureau may

transfer such stock to another or other agencies which have need for and can use it. The Bureau shall also have power to sell all such supplies, materials and equipment which have become unsuitable for public use or to exchange for or trade in the same on new supplies, materials and equipment. Any such sale, exchange or trade-in shall be based on competitive bids.

**§ 5-20. Storerooms and warehouses.**

The Bureau shall control and supervise any and all existing storerooms and warehouses and any which may hereafter be established. The Council may provide a store revolving fund of sufficient amount to finance the purchase and storage of supplies, materials and equipment which are used in large quantities and which may be purchased and stored advantageously. Such fund shall be under the control of the Bureau, which shall also be responsible and accountable for all supplies, materials and equipment in his custody and shall maintain a perpetual inventory record thereof.

**§ 5-21. Rules and regulations of Bureau.**

The Director of the Department of Administrative Services shall establish and from time to time amend all rules and regulations authorized by this article and any others necessary to its operation.”

SECTION 2. All ordinances or resolutions or parts of ordinances or resolutions insofar as they are inconsistent herewith are hereby repealed and rescinded.

SECTION 3. In the event any provision, section, sentence, clause or part of this Ordinance shall be held to be invalid, such invalidity shall not affect or impair any of the remaining provisions, sections, sentences, clauses or parts of this Ordinance; it being the intent of the City of Lancaster that the remainder of the Ordinance shall be and shall remain in full force and effect.

SECTION 4. This Ordinance shall become effective as provided by the laws of the Commonwealth of Pennsylvania.

DULY ORDAINED AND ENACTED this 13th day of May, 2008, by the Council of the City of Lancaster, Lancaster County, Pennsylvania, in lawful session duly assembled.

ATTEST:

CITY OF LANCASTER

/s/ Janet E. Spleen

/s/ J. Richard Gray

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Janet Spleen, City Clerk

By: \_\_\_\_\_  
J. Richard Gray, Mayor