

ORDINANCE NO. 790

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PRESCOTT VALLEY, A MUNICIPAL CORPORATION OF ARIZONA, AMENDING SECTION 3-04-090 "COOPERATIVE PURCHASING" OF ARTICLE 3-04 "PURCHASING PROCEDURE" OF CHAPTER 3 "ADMINISTRATION" OF THE PRESCOTT VALLEY TOWN CODE TO FORMALLY EXPAND OPTIONS FOR COOPERATIVE PURCHASING TO INCLUDE THE FEDERAL GOVERNMENT, OTHER STATES AND THEIR SUBDIVISIONS, AND OTHER GOVERNMENTAL ENTITIES AND COOPERATIVE PURCHASING ORGANIZATIONS IN ADDITION TO THE STATE OF ARIZONA AND ITS POLITICAL SUBDIVISIONS; PROVIDING THAT ALL OTHER CHAPTERS, ARTICLES AND SECTIONS OF THE TOWN CODE, NOT HEREIN REPEALED, REENACTED, OR AMENDED, SHALL REMAIN IN FULL FORCE AND EFFECT; PROVIDING THAT, IF ANY PROVISION IN THIS ORDINANCE IS HELD INVALID BY A COURT OF COMPETENT JURISDICTION, THE REMAINING PROVISIONS SHALL NOT BE AFFECTED BUT SHALL CONTINUE IN FULL FORCE AND EFFECT; AND PROVIDING THAT THIS ORDINANCE SHALL BE EFFECTIVE THIRTY (30) DAYS AFTER ITS PASSAGE AND APPROVAL ACCORDING TO LAW.

WHEREAS, on December 13, 1979, the Town Council of the new Town of Prescott Valley adopted Ordinance No. 18 to enact Article 3-4, "PURCHASING PROCEDURE" of the Town Code to generally provide for public bidding in Town purchases; and

WHEREAS, said Article included Section 3-4-9 "Cooperative Purchasing" which allowed the Town to benefit from purchases made through public bidding by the State of Arizona and its political subdivisions; and

WHEREAS, ARS §41-2631 et seq. has for years allowed state agencies to enter into Cooperative Purchase Agreements with many other government and non-profit entities; and

WHEREAS, such cooperative purchasing involves agreements with lead agencies which purchase specified materials and services for themselves and participating cooperative members by compiling quantity estimates, preparing the bid or proposal solicitations, receiving bids or proposals, and awarding a contract for use by all participating members; and

WHEREAS, such cooperative purchasing has been shown to improve competition and thereby the quality and price of materials and services while avoiding duplication of efforts; and

WHEREAS, the Town has informally expanded its cooperative purchasing over a period of years and desires now to formally provide for such purchasing in the Town Code;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PRESCOTT VALLEY, ARIZONA AS FOLLOWS:

SECTION ONE. That Section 3-04-090 "Cooperative Purchasing" in Article 3-04, "PURCHASING PROCEDURE" of Chapter 3 "ADMINISTRATION" of the Town Code of the Town of Prescott Valley, Arizona, be hereby amended to read as follows.

3-04-090 Cooperative Purchasing.

~~This Article shall not apply to~~ Purchases made by, through or with the federal government or its agencies, the State of Arizona or its political subdivisions, or other political entities or non-profit cooperative purchasing organizations do not require the bidding processes set forth in this Article.

(Ord. No. 18, Enacted, 12/13/79; Ord. No. 65, Rep&ReE, 01/14/82; Ord. No. 178, Rep&ReEn, 05/26/88; Ord. No. 790, 04/24/14)

SECTION TWO. That all other Chapters, Articles, and Sections of the Town Code, not herein repealed, reenacted or amended, shall remain in full force and effect.

SECTION THREE. That, if any provision of this Ordinance is held invalid by a Court of competent jurisdiction, the remaining provisions shall not be affected but shall continue in full force and effect.

SECTION FOUR. That this Ordinance shall be effective 30 days after its passage and approval according to law.

PASSED AND APPROVED by the Mayor and Common Council of the Town of Prescott Valley, Arizona, this 24th day of April, 2014.

Harvey C. Skoog, Mayor

ATTEST:

Diane Russell, Town Clerk

APPROVED AS TO FORM:

Ivan Legler, Town Attorney