

ORDINANCE NO. ____ - _____

AN ORDINANCE OF THE CITY OF GALVESTON, TEXAS, REMOVING THE OPERATION OF THE COMPETITIVE BIDDING REQUIREMENTS OF THE APPLICABLE COMPETITIVE BIDDING PROCEDURES OF THE CITY OF GALVESTON DURING THE DECLARED STATE OF EMERGENCY; MAKING VARIOUS FINDINGS AND PROVISIONS RELATED TO THE SUBJECT AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Galveston, Texas, has declared a state of emergency by Ordinance No. _____ dated _____, in accordance with Section 418.108 of the Texas Disaster Act of 1975; and,

WHEREAS, the City Council of the City of Galveston, Texas, deems it in the public interest to remove requirements pertaining to purchasing and competitive bidding procedures during the declared state of emergency;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GALVESTON, TEXAS;

SECTION 1. The findings and recitations set out in the preamble to this Ordinance are found to be true and correct and they are hereby adopted by the City Council and made a part hereof for all purposes.

SECTION 2. That the operation of the competitive bidding requirements of the City of Galveston are hereby removed for a period of ____ days from and after _____, 20__; provided, however, that insofar as practical, bids, quotations, or estimates of material, labor, and other costs for purchases, goods, works and the like described shall be diligently solicited and procured before entering into contract therefore, and such contract, if awarded, shall be made to the lowest, best, or expedient bid, quotation, or estimate received. The determination of the lowest, best, or expedient bid, quotation, or estimate shall be within the sole discretion of the City Manager or designee, and his decision shall be final.

SECTION 3. Pursuant to Section 5150 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, in the expenditure of Federal Funds for debris clearance, distribution of supplies, reconstruction, and other major disaster or emergency assistance activities that may be carried out by contract or agreement with private organizations, firms, or individuals, preference shall be given, to the extent feasible and practical, to those organizations, firms, and individuals residing or doing business primarily in the affected area.

SECTION 4. It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable and, if any phrase, clause, sentence, paragraph or section of this Ordinance should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance.

SECTION 5. All Ordinances or parts thereof in conflict herewith are repealed to the extent of such conflict only.

SECTION 6. In accordance with the Texas Disaster Act, this Ordinance shall be effective immediately upon adoption.

APPROVED AS TO FORM:

SUSIE GREEN
CITY ATTORNEY

I, Barbara S. Lawrence, Secretary of the City Council of the City of Galveston, do hereby certify that the foregoing is a true and correct copy of an Ordinance adopted by the City Council of the City of Galveston at its emergency meeting held on the ____ day of _____, _____, as the same appears in records of this office.

IN TESTIMONY WHEREOF, I subscribe my name hereto officially under the corporate seal of the City of Galveston this ____ day of _____, _____.

Secretary for the City Council
of the City of Galveston