

**ORDINANCE 3154**

**AN ORDINANCE AMENDING TITLE 3, CHAPTER 8, SECTION 040 OF THE OFFICIAL CODE OF THE CITY OF GREAT FALLS (OCCGF), PERTAINING TO COMPETITIVE SEALED PROPOSALS**

**WHEREAS**, the governing body of an incorporated city may revise and correct, as appropriate, City Code; and

**WHEREAS**, the City Commission codified the Official Code of the City of Great Falls (OCCGF); and

**WHEREAS**, the City Commission has an obligation to, as appropriate, amend and revise the OCCGF; and

**WHEREAS**, the City Commission wishes to amend OCCGF Title 3, Chapter 8, Section 040 to allow competitive sealed proposals for contracts to be submitted to the City that does not otherwise conflict with State or Federal law.

**NOW, THEREFORE**, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, that:

- Section 1. Title 3, Chapter 8, Section 040, of the OCCGF pertaining to competitive sealed proposals shall be amended as depicted in Exhibit "A" attached hereto, which removes any language indicated by a ~~strike-out~~; and,
- Section 2: This Ordinance shall be in full force and effect thirty (30) days after its passage and adoption by the City Commission.

APPROVED by the City Commission on first reading February 7, 2017.

ADOPTED by the City Commission of the City of Great Falls, Montana on second reading February 21, 2017.

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Bob Kelly, Mayor

ATTEST:

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Lisa Kunz, City Clerk

(CITY SEAL)

APPROVED FOR LEGAL CONTENT:

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Sara R. Sexe, City Attorney

State of Montana )  
County of Cascade : ss  
City of Great Falls )

I, Lisa Kunz, City Clerk of the City of Great Falls, Montana, do certify that I did post as required by law and as prescribed and directed by the Commission, Ordinance 3154 in three conspicuous places within the limits of said City to-wit:

On the Bulletin Board, first floor, Civic Center Building;  
On the Bulletin Board, first floor, Cascade County Courthouse;  
On the Bulletin Board, Great Falls Public Library

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Lisa Kunz, City Clerk

(CITY SEAL)

Exhibit "A"

Title 3 - REVENUE AND FINANCE

Chapter 8 PURCHASING

**Chapter 8 PURCHASING**

**Sections:**

3.8.040 Competitive sealed proposals.

**3.8.040 Competitive sealed proposals.**

- A. When, not required by law, the City Manager or a department head determines in writing that the use of competitive sealed bidding is either not practicable or not advantageous to the City, a contract may be entered into by competitive sealed proposals.
- B. Proposals must be solicited through a request for proposals.
- C. Adequate public notice of the request for proposals must be given ~~in the same manner as provided in 7-5-4302(2) MCA.~~
- D. Proposals must be opened so as to avoid disclosure of contents to competing offerors during the process of negotiation. A register of proposals must be prepared and open for public inspection at the City Clerk's Office after contract award.
- E. The request for proposals must state the relative importance of price and other evaluation factors.
- F. As provided in the request for proposals, discussions may be conducted with responsible offerors who submit apparently responsive proposals for the purpose of clarification, to assure full understanding of and responsiveness to the solicitation requirements. Offerors must be accorded fair and equal treatment with respect to any opportunity for discussion and revision of proposals, and such revisions may be permitted, after submissions and prior to award, for the purpose of obtaining best and final offers. In conducting discussions, there may be no disclosure of any information derived from proposals submitted by competing offerors. The City may require the submission of cost or pricing data in connection with an award under this section.
- G. The award must be made to the responsible offeror whose proposal is determined in writing to be the most advantageous to the City, taking into consideration price, including the preference in 18-1-102 MCA, and the evaluation factors set forth in the request for proposals. No other factors or criteria may be used in the evaluation. The contract file shall contain the basis on which the award is made.