

**ORDINANCE NO. 2020-\_\_\_\_\_**

**AN ORDINANCE** amending Yakima Municipal Code Section 1.80.020: Opening and tabulation of bids

**WHEREAS**, the City follows the bidding requirements as outlined in state law and local procedure; and

**WHEREAS**, Yakima Municipal Code section 1.80.020 addresses how bids are opened; and

**WHEREAS**, with changing technology bidding is done both traditionally, with a formal opening of an envelope and review of bids on paper, as well as electronically through bidding software for non-public works projects; and

**WHEREAS**, the current ordinance does not contemplate electronic bid openings; and

**WHEREAS**, the current ordinance also does not contemplate a situation where the city clerk may not be available, such as if they are working remotely; and

**WHEREAS**, changes to YMC 1.80.020 should be made to accommodate electronic bidding, where the computer program opens the bids, as well as situations where the city clerk may not be available; and

**WHEREAS**, the City Council of the City of Yakima hereby finds and determines that it is in the best interests of the City of Yakima and its residents to amend YMC 1.80.020 regarding opening and tabulation of bids, and such amendment will promote the general health, safety and welfare; now, therefore

**BE IT ORDAINED BY THE CITY OF YAKIMA:**

**Section 1.** Section 1.80.020 is hereby amended to read as follows:

**1.80.020 Opening and tabulation of bids.**

1. Bids submitted through the E-Procurement system for purchasing only. All bids made pursuant to an advertisement therefor, as contemplated by Section [1.80.010](#) and through the E-Procurement system used for bids let by purchasing, shall be sealed, shall be publicly opened by the procurement manager, or their designee, at the time and place specified in the bid call, and witnessed by another staff member from the purchasing department or other department of the city. The bids shall be tabulated by the purchasing agent and submitted to the city manager for their approval or rejection.

2. All other bids. All bids made pursuant to an advertisement therefor, as contemplated by Section 1.80.010, shall be sealed, shall be publicly opened by the city clerk, or their designee from the city clerk's department, at the time and place specified in the bid call, and the bids shall be tabulated by the purchasing agent and submitted to the city manager for their approval or rejection. (Ord. 1694 § 2, 1974: Ord. 220 § 2, 1961).

**Section 2.** Severability/Validity. If any section, subsection, paragraph, sentence, clause or phrase of this ordinance is declared invalid or unconstitutional for any reason, such decision shall not affect the validity of the remaining portions of this ordinance.

**Section 3.** Effective Date. This ordinance shall be in full force and effect 30 days after its passage, approval, and publication as provided by law and by the City Charter.

**PASSED BY THE CITY COUNCIL**, signed and approved this 2<sup>nd</sup> day of November, 2020.

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Patricia Byers, Mayor

ATTEST:

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Sonya Claar Tee, City Clerk

Publication Date:\_\_\_\_\_

Effective Date:\_\_\_\_\_