

CITY OF MARGATE, FLORIDA

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF MARGATE, FLORIDA, AMENDING CHAPTER 2 - ADMINISTRATION, ARTICLE II - FINANCES, SECTION 2-23 PURPOSE AND INTENT, SECTION 2-24 - DEFINITIONS, SECTION 2-25 - PURCHASING PROCEDURES, SECTION 2-26 PURCHASING RESTRICTIONS; WHEN BIDS REQUESTS FOR PROPOSALS OR LETTERS OF INTEREST REQUIRED, SECTION 2-27 CONTRACTS FOR CONSTRUCTION OF PUBLIC WORKS AND IMPROVEMENTS, AND SECTION 2-28 AWARD OF BIDS, REQUESTS FOR PROPOSALS, LETTERS OF INTEREST, AND OTHER SOLICITATIONS; PROCEDURE FOR LETTING; PROVIDING FOR CLARIFYING DEFINITIONS OF PIGGYBACKING, FORMAL QUOTE, AND INFORMAL QUOTE; AMENDING THE THRESHOLDS FOR PURCHASING AUTHORITY; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF MARGATE, FLORIDA:

**Section 1:** Chapter 2 - Administration, Article II - Finances, Section 2-23 Purpose And Intent, is hereby amended to read as follows:

**Sec. 2-23. Purpose and intent.**

. . .

- (i) ~~Nonapplicability to cooperative bidding or direct purchase from other governmental agencies or educational institutions. The requirements herein shall not be applicable for any supplies, materials, equipment, projects, construction, public works projects, improvements, or services that are purchased under a cooperative bidding procedure, in conjunction with or directly from any other governmental agency or~~

1 ~~educational institution where the supplies, materials,~~  
2 ~~equipment, projects, public works projects, services,~~  
3 ~~or improvements are purchased pursuant to the official~~  
4 ~~procedures of the other governmental agency, or to the~~  
5 ~~extent permitted by Florida Statutes.~~

6 Cooperative bidding, piggybacking, and/or direct  
7 purchase from an existing agreement awarded by special  
8 districts, other governmental agencies, or educational  
9 institutions. The requirements herein shall not be  
10 applicable to the acquisition of supplies, materials,  
11 equipment, projects, construction, public works  
12 projects, improvements, or services, except  
13 professional services which are governed by s. 287.055,  
14 from the purchasing agreements of other special  
15 districts, public educational institutions,  
16 municipalities, or counties which have been procured  
17 pursuant to competitive bid, requests for proposals,  
18 requests for qualifications, competitive selection, or  
19 competitive negotiations, and which are otherwise in  
20 compliance with general law if the purchasing agreement  
21 of the other special district, municipality, or county  
22 was procured by a process that would have met the  
23 procurement requirements of the awarding agency, or to  
24 the extent permitted by Florida Statutes.

25 . . .  
26

27 **[Note to Municipal Code: The rest of this section shall**  
28 **remain as codified.]**  
29

30 **Section 2:** Chapter 2 - Administration, Article II -  
31 Section 2-24 - Definitions, is hereby amended to read as  
32 follows:

33 **Sec. 2-24. Definitions.**

34 The words defined in this section shall have the meanings set  
35 forth below whenever they appear in this Code, unless:

- 36 (1) The context in which they are used clearly requires a  
37 different meaning; or

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text, words in underscored text are additions to existing text,  
and **shaded** text are changes between First and Second Readings.

(2) A different definition is prescribed for a particular article or provision.

. . .

Formal quote means an official pricing offer submitted for approval or specific purchasing agreement execution that is received as a written document such as a PDF submitted on official letterhead or quote form. Such pricing contains a clear itemization of goods and associated services to be received, fixed or clearly defined pricing inclusive of an expiration date if applicable, transaction specific terms and conditions, and acceptance requirements.

. . .

Informal quote means a general and quickly provided estimate or cost approximation for smaller dollar purchases that is often received verbally, in the text body of an email, or other informally communicated means, that may contain minimal details or transactional requirements. Such pricing may be subject to change once details are finalized.

. . .

Piggybacking means the process in which a public entity uses another agency's existing, competitively awarded or negotiated contract to buy goods or services at the same favorable terms and prices, thereby avoiding the necessity of its own competitive process to benefit from leverage gained by economies of scale.

. . .

**[Note to Municipal Code: The rest of this section shall remain as codified.]**

**Section 3:** Chapter 2 - Administration, Article II - Section 2-25 - Purchasing Procedures, is hereby amended to read as follows:

1     **Sec. 2-25. Purchasing procedures.**

2                     . . .

- 3         (1)     All bids, requests for proposals, and letters of  
4                 interest for projects, services, supplies, materials or  
5                 equipment, and cooperative agreements shall be approved  
6                 by the city manager. Each member of the city commission  
7                 shall be notified in advance of any bidding or the  
8                 approval of said bids, requests for proposals,  
9                 cooperative agreements and letters of interest upon  
10                anticipation that purchase of said project, service,  
11                supply, material or equipment shall reasonably exceed  
12                one hundred fifty thousand dollars (~~\$10050~~,000.00).
- 13        (2)     All bids, requests for proposals, and letters of  
14                 interest for franchises shall be approved by the city  
15                 commission.
- 16        (3)     All responses to solicitations received by the city for  
17                 city projects, franchises, services, supplies,  
18                 materials or equipment, shall be received by the  
19                 purchasing manager or his/her designee at a designated  
20                 time and place.
- 21        (4)     All awards for city projects, franchises, supplies or  
22                 equipment that cost over one hundred fifty thousand  
23                 dollars (~~\$10050~~,000.00) shall be authorized by the city  
24                 commission.
- 25        (5)     In implementation of this section, all articles,  
26                 services, supplies, projects, materials, or equipment  
27                 which can be reasonably construed as one (1) project  
28                 shall be considered as one (1) project for purposes of  
29                 determining the amount of the bid, request for  
30                 proposals or letters of interest to be made.
- 31        (6)     Any purchase of services up to fifteen thousand dollars  
32                 (\$15,000.00) shall be made by the department director  
33                 or designee without further action.
- 34        (7)     All services that cost greater than fifteen thousand  
35                 dollars (\$15,000.00) shall be authorized by the city  
36                 manager.

(8) All services that cost greater than fifty thousand dollars (\$50,000.00) shall be authorized by the city manager with notification to the city commission.

. . .

**[Note to Municipal Code: The rest of this section shall remain as codified.]**

**Section 4:** Chapter 2 - Administration, Article II - Section 2-26 - Purchasing restrictions; when bids, requests for proposals or letters of interest required, is hereby amended to read as follows:

**Sec. 2-26. Purchasing restrictions; when bids, requests for proposals or letters of interest required.**

. . .

(c) Responsibilities and authority.

(1) Any purchase of supplies, materials or equipment ~~not exceeding the sum of costing five~~three thousand five hundred dollars (\$5,000~~3,500~~.00) or less shall be made by the using department director or designee, utilizing a variety of sources whenever possible, without further action.

(2) Any purchase of supplies, materials, or equipment ~~over the sum of three~~that cost more than five thousand five hundred dollars (\$3,500~~0~~.00) but and not more than ~~exceeding the sum of~~ twenty-five ~~ten~~ thousand dollars (\$25~~10~~,000.00) for budgeted items shall be by informal quote (phone or facsimile). Any purchase of supplies, materials, equipment, or projects ~~over the sum of~~ twenty-five ~~ten~~ thousand dollars (\$25~~10~~,000.00) and not ~~exceeding the sum of~~ more than fifty ~~twenty-five~~ thousand dollars (\$250,000.00) shall be by formal written quotation. The purchasing division shall endeavor to obtain a minimum of three (3) quotations unless the purchasing division can demonstrate that only one (1) source is available.

(3) Where said purchases are in excess of ~~fifty~~twenty-five thousand dollars (\$250,000.00) for budgeted items,

1 invitations for written sealed bids or request for  
2 proposals shall be publicly noticed at least once.

3 (4) For procurements that are a combination of services and  
4 supplies or materials, procurement requirements shall be  
5 based upon the anticipated value of the supplies and  
6 materials. If the anticipated value of the services  
7 exceeds fifty (50) percent of the contract, then  
8 procurement requirements shall be based upon the  
9 anticipated total value of services, supplies, and  
10 materials, but the services thresholds shall be utilized.

11 (5) For all purchases, the finance department shall verify  
12 that the purchase request has sufficient unencumbered  
13 funds to cover the purchase, or that a budget amendment  
14 (which are performed annually) or transfer is in process  
15 for approval by the city manager or designee or city  
16 commission.

17 Summary of thresholds (excluding services):

Up to <del>\$3,500.00</del> \$5,000.00	Approved by department director or designee <u>with one (1)</u> <u>informal quote</u>
Over <del>\$3,500.00</del> up to <del>\$10,000.00</del> <u>\$5,000.00 to \$25,000.00</u>	Three <u>(3)</u> informal quotes
Over <del>\$10,000.00</del> up to <del>\$25,000.00</del> <u>to \$50,000.00</u>	Three <u>(3)</u> formal quotes
Over <del>\$25,000.00</del> <u>\$50,000</u>	Written sealed bids or request for proposals or other solicitations

18  
19 . . .  
20 **[Note to Municipal Code: The rest of this section shall**  
21 **remain as codified.]**  
22

23 **Section 5:** Chapter 2 - Administration, Article II -  
24 Section 2-27. Contracts for construction of public works and  
25 improvements; procedure for letting, is hereby amended to read  
26 as follows:

1 **Sec. 2-27. Contracts for construction of public works and**  
2 **improvements; procedure for letting.**

3 . . .

4 For projects costing under two hundredfifty thousand  
5 dollars (~~\$20050,000.00~~), or less, bid bonds may be waived at  
6 the discretion of the city manager. Consistent with Section  
7 255.05(d), Fla.Stat., or as may be amended from time to time,  
8 performance and/or payment ~~bid~~ bonds may be waived at the  
9 discretion of the city manager. For any projects where bonds  
10 are waived, payments shall be made to the contractor upon  
11 satisfactory completion of a portion of the work, as  
12 determined by the using department director, and then final  
13 payment shall be released upon final completion.

14 **[Note to Municipal Code: The rest of this section shall**  
15 **remain as codified.]**

16  
17 **Section 6:** Chapter 2 - Administration, Article II -  
18 Section 2-28 - Award of bids, requests for proposals, letters  
19 of interest, and other solicitations, is hereby amended to  
20 read as follows:

21 **Sec. 2-28. Award of bids, requests for proposals, letters of**  
22 **interest, and other solicitations.**

23 (a) All awards for bids, requests for proposals, letters of  
24 interest, and other solicitations of one hundredfifty thousand  
25 dollars (~~\$10050,000.00~~) or less as required in sections 2-26 and  
26 2-27 of the City Code shall be authorized by the city manager.

27 (b) All awards for bids, requests for proposals, letters of  
28 interest, and other solicitations in excess of one hundredfifty  
29 thousand dollars (~~\$10050,000.00~~) as required in sections 2-26  
30 and 2-27 of the City Code shall be authorized by the city  
31 commission.

32 . . .

33 **[Note to Municipal Code: The rest of this section shall**  
34 **remain as codified.]**

**SECTION 7:** All ordinances or parts of ordinances in conflict herewith are repealed to the extent of such conflict.

**SECTION 8:** If any section, sentence, clause, or phrase of this ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance.

**SECTION 9:** It is the intention of the City Commission that the provisions of this Ordinance shall become and be made a part of the City of Margate Code, and that the sections of this Ordinance may be renumbered or relettered and the word "ordinance" may be changed to "section", "article" or such other appropriate word or phrase in order to accomplish such intentions.

**SECTION 10:** This Ordinance shall become effective immediately upon adoption at its second reading.

PASSED ON FIRST READING THIS \_\_\_\_\_ day of \_\_\_\_\_ 2026.

PASSED ON SECOND READING THIS \_\_\_\_\_ day of \_\_\_\_\_ 2026.

ATTEST:

\_\_\_\_\_  
JENNIFER M. JOHNSON  
CITY CLERK

\_\_\_\_\_  
MAYOR ANTONIO V. ARSERIO

RECORD OF VOTE - 1ST READING      RECORD OF VOTE - 2ND READING

Schwartz \_\_\_\_\_  
Simone \_\_\_\_\_  
Ruzzano \_\_\_\_\_  
Caggiano \_\_\_\_\_  
Arserio \_\_\_\_\_

Schwartz \_\_\_\_\_  
Simone \_\_\_\_\_  
Ruzzano \_\_\_\_\_  
Caggiano \_\_\_\_\_  
Arserio \_\_\_\_\_



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