

BILL NO. 23-122

AN ORDINANCE APPROVING AN AMENDMENT TO THE PROCUREMENT POLICY TO ALLOW THE FLEET MANAGER TO PURCHASE VEHICLES FROM A VENDOR WITH WHOM THE CITY DOES NOT HAVE A CURRENT CONTRACT IN PLACE, OR WHERE THE VENDOR IS NOT OFFERING A PARTICULAR VEHICLE PURSUANT TO THE CITY'S CONTRACT AS NEEDED, FOR THE CITY OF LEE'S SUMMIT.

WHEREAS, the City's current Cooperative Contract No. 2020-009 Metro Vehicle Bid is unable to lock in pricing for 2023; and,

WHEREAS, most of the participating vendors of the Metro Vehicle Bid will not honor Fleet status; and,

WHEREAS, most of the participating vendors of the Metro Vehicle Bid will not honor agreed upon pricing of said vehicle due to volatility in the supply and demand from buyers offering immediate purchase of vehicles at or above the Manufacturer's Suggested Retail Price (MSRP); and,

WHEREAS, Fleet Division must now go into the open market and "compete" for vehicles.

WHEREAS, the following Sections of the Procurement may be temporarily waived when necessary, as approved by the City Manager:

- Section 4 Approval Levels
- Section 5 Solicitation Processes

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LEE'S SUMMIT, MISSOURI, as follows:

Section 1. The City Council of the City of Lee's Summit, Missouri hereby authorizes this amendment to the Procurement Policy through the date of December 31, 2025 as follows:

CITY OF LEE'S SUMMIT, PROCUREMENT POLICY VEHICLE EQUIPMENT REPLACEMENT PROGRAM, Exception 1.0

1. This exception expires on December 31, 2025 unless specifically renewed by ordinance.
2. This exception applies only to purchases of vehicles and equipment included in the Vehicle Equipment Replacement Program, that are scheduled to be replaced, or are being added to the VERP by an approved expansion request.
3. The use of this exception is reserved exclusively for situations where:
 - a. The Fleet Manager recommends a vehicle purchase from a vendor with whom the City does not have a current contract; or,
 - b. In those situations where the vendor is not offering a particular vehicle pursuant to the City's contract; and,

BILL NO. 23-122

- c. The need for immediate action to secure the vehicle, requires the City waive the guidelines and procedures in the Procurement Policy that are inconsistent with this exception.
- 4. For any vehicle which the City wishes to purchase for which in the opinion of the Fleet Manager there is not sufficient time to complete a purchase under the procurement policy, the following steps may be taken to complete an expedited purchase:
 - a. Fleet Manager identifies a vehicle, at a specific price and confirms with the dealer such vehicle is available.
 - b. Fleet Manager executes "Expedited Vehicle Purchase Form" attached hereto as Exhibit "A".
 - c. Requesting Department Director, or their designee, approves the expedited vehicle purchase.
 - d. City Manager or any Assistant City Manager approves expedited vehicle purchase.
 - e. Fleet Manager purchases the vehicle.
- 5. In all other respects the purchase of a vehicle shall be made as set out in the Lee's Summit Procurement Policy.

Section 2. This Ordinance shall be in full force and effect from and after the date of its passage and adoption, and approval by the Mayor.

PASSED by the City Council of the City of Lee's Summit, Missouri, this ____ day of _____, 2023.

ATTEST:

Mayor *William A. Baird*

City Clerk *Trisha Fowler Arcuri*

APPROVED by the Mayor of said city this ____ day of _____, 2023.

ATTEST:

Mayor *William A. Baird*

City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

City Attorney *Brian W. Head*