

ORDINANCE NO. 22-07-07-01

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAGO VISTA, TEXAS, AMENDING ARTICLE 1.500 OF THE CODE OF ORDINANCES, REGARDING PURCHASING TO ADD SECTION 1.502 PROCEDURES FOR ELECTRONIC BIDS OR PROPOSALS, PROVIDING CODIFICATION AND PUBLICATION, AN EFFECTIVE DATE, REPEALER, SEVERABILITY, PROPER NOTICE AND OPEN MEETINGS CLAUSE.

WHEREAS, the City of Lago Vista, Texas is a home rule city; and

WHEREAS, the City has historically required submission of competitive bids and proposals for goods and services by mail or hand delivery to the City Secretary; and

WHEREAS, the mailed or hand delivered, paper submission process is slower and may have caused potential delays in timely receipt of proposals or dissuaded potential proposers from submission; and

WHEREAS, the City Council desires to allow for electronic submission of requests for proposals for city goods and services; and

WHEREAS, Texas Local Government Code Section 252.0415 permits the City to receive bids or proposals through electronic transmission if the City Council adopts rules to ensure the identification, security, and confidentiality of electronic bids or proposals and to ensure that the electronic bids or proposals remain effectively unopened until the proper time; and

WHEREAS, the City Council desires to amend Article 1.500 of the Code of Ordinances, regarding Purchasing to add Section 1.502 Procedures For Electronic Bids or Proposals; and

WHEREAS, the City Council finds that it is necessary and proper for the purpose of promoting effective and efficient government of the City to adopt the proposed amendments to Article 1.500 of the Code of Ordinances to add Section 1.502 Procedures For Electronic Bids or Proposals to the City's Code of Ordinances.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAGO VISTA, TEXAS, THAT:

SECTION 1. FINDINGS OF FACT. All of the above and foregoing recitals are hereby found to be true and correct legislative findings of the City and are incorporated herein as findings of fact.

SECTION 2. AMENDMENT. The City Council of the City of Lago Vista, Texas, does hereby amend Article 1.500 of the Code of Ordinances to add Section 1.502 Procedures For Electronic Bids or Proposals as shown in Exhibit "A." Underlined

language shall be added and language to be deleted is signified by strike-through.

SECTION 3. REPEALER. All ordinances, orders or resolutions heretofore passed and adopted by the City Council of the City of Lago Vista, Texas, are hereby repealed to the extent said ordinances, orders or resolutions or parts thereof are in conflict herewith.

SECTION 4. SEVERABILITY CLAUSE. If any section, subsection, article, paragraph, sentence, clause, phrase or word in this Ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this Ordinance, and the City Council hereby declares it would have passed such remaining portions of this Ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

SECTION 5. CODIFICATION AND PUBLICATION. The City Secretary is hereby directed to record and publish the attached rules, regulations and policies in the City's Code of Ordinances as authorized by Section 52.013 of the Texas Local Government Code.

SECTION 6. EFFECTIVE DATE. This Ordinance shall take effect immediately upon its passage and publication in accordance with the Texas Local Government Code.

SECTION 7. OPEN MEETINGS. It is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

AND, IT IS SO ORDERED.

PASSED AND APPROVED this 7th day of July 2022 by a vote of the City Council of the City of Lago Vista, Texas.


Ed Tidwell, Mayor

ATTEST:


Starr Lockwood, Assistant City Secretary



On a motion by Councilmember Robert Durpin, seconded by Councilmember paul prince, the above and foregoing ordinance was passed and approved.

Exhibit "A"

Sec. 1.502 Electronic Submission of Bids and Proposals

- (a) All users of the system shall be assigned a unique username and password.
- (b) Access to the system by authorized users shall be logged and tracked for audit purposes in order to record when any user has accessed the system.
- (c) Transmittal of data through the internet shall be encrypted using Standard Sockets Layer (SSL) technology. All sensitive data (sealed bid responses, passwords, etc.) within the system shall be encrypted at the database level.
- (d) The system shall be synchronized to an atomic clock (U.S. Nuclear Time) to ensure exact recording of the due date and time, and the receipt of date and time, of each submission.
- (e) The contents of supplier response submissions are not available during the bidding process.
- (f) Only staff with an authorized user account and password, and only on or after the established due date and time, can open the electronic bids or proposals. The system shall provide an audit trail of who unsealed the proposals and a corresponding time stamp.
- (g) The City of Lago Vista will determine when and what information is released to the public pursuant to Texas law.
- (h) The Finance Department is responsible for ensuring that any system used for the electronic receipt of bids or proposals with an estimated value of more than \$50,000, or as defined by current State law, complies with the aforementioned rules and all other statutory requirements for competitive bids or proposals.