



OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139

(617) 498-9017

JOSEPH E. CONNARTON
CITY CLERK

JOHN E. FLYNN
DEPUTY CITY CLERK

November 5, 1990

Mr. Russell B. Higley
City Solicitor
City Hall
Cambridge, MA

Dear Sir:

Enclosed you will find three proposed amendments to the Municipal Code of the City of Cambridge which were passed to be ordained at the City Council meeting held on November 5, 1990 as follows:

1. Proposed amendment relative to condom vending machines.
2. Proposed amendment relative to automatic fire alarm systems.
3. Proposed amendment relative to procurement of supplies and services.

Enclosed you will find a copy of a loan order in the amount of \$9,000,000.00 for the Phase VI sewer reconstruction.

Enclosed also you will find a copy of a proposed amendment to the Municipal Code of the City of Cambridge which was passed to a second reading at the City Council meeting held on November 5, 1990 regarding the Parking Freeze.

Would you kindly review these amendments and indicate your approval or disapproval on the bottom and return to this office.

Your kind attention in this matter will be greatly appreciated.

Sincerely yours,

Joseph E. Connarton
Joseph E. Connarton
City Clerk

JEC/dl

Encs. Ordinance Numbers 1109, 1110, 1111, Final Publication Number 2511 and First Publication Number 2512.

c.c. Councillor Duehay, Chairman, Committee on Ordinances
Joseph Cellucci, Inspectional Services Commissioner
Birge Albright, Law Dept.



City of Cambridge

In the Year One Thousand, Nine Hundred Ninety

AN ORDINANCE

In amendment to an ordinance entitled the "Cambridge Municipal Code"

Be it ordained by the City Council of the City of Cambridge as follows:

- WHEREAS the effects of the AIDS epidemic have begun to show themselves in Cambridge, with a total of 95 cases reported in Cambridge and 3098 cases in Massachusetts as of May 1, 1990; and
- WHEREAS the number of people with AIDS/HIV infection for 1992 is projected to be 250,000 Americans; and
- WHEREAS the cost of caring for each person living with AIDS is estimated to be between \$50,000 and \$150,000, a portion of which would be absorbed by The Cambridge Hospital which treats many citizens who do not have health insurance; and
- WHEREAS an ever-increasing number of people contract AIDS/HIV infection as the result of an unprotected sexual contact; and
- WHEREAS latex condoms have been found to be highly effective in preventing the transmission of AIDS and other sexually transmitted diseases; and
- WHEREAS many people report the lack of accessibility and the cost of buying a whole box of high quality latex condoms as major reasons for not practicing safer sex; and
- WHEREAS the Commissioner of Health and Hospitals recommends that the City of Cambridge encourage the widest possible availability of high quality latex condoms accompanied, where possible, by information on their proper use in preventing transmission of the AIDS/HIV virus; and

WHEREAS in order to facilitate the dissemination of high quality latex condoms, the Commissioner of Health and Hospitals recommends that their availability be required in places of public accommodation; therefore

Be it ordained by the City Council of the City of Cambridge as follows:

Chapter 8 of the Code (Health and Safety) is hereby amended by adding the following new Chapter 8.30 (Prevention of AIDS/HIV Infection):

Chapter 8.30
Prevention of AIDS/HIV Infection

Sections:

- 8.30.010 Declaration of public health crisis
- 8.30.020 Requirement of vending machines which dispense condoms
- 8.30.030 List of vending machine operators
- 8.30.040 Exemptions
- 8.30.050 Annual Report to City Manager

8.30.010 Declaration of Public Health Crisis

The spread of AIDS (Acquired Immune Deficiency Syndrome) and HIV (Human Immunodeficiency Virus) infection have created a public health crisis; while there is no known cure for the virus, its spread through intimate sexual contact can be limited through the availability of affordable, high quality latex condoms in places of public accommodation.

8.30.020 Requirement of vending machines which dispense condoms

A. The following premises, which are licensed by the Cambridge License Commission, shall contain coin-operated vending machines which dispense affordable, high-quality latex condoms: hotels and motels, bars, restaurants and movie theaters. In addition, all hospitals, health clinics and health facilities and all municipal buildings, not including schools, shall maintain such vending machines.

B. The condom vending machines shall be located in a publicly accessible place, or in at least one male and one female rest room, and shall display a sticker prepared by the City of Cambridge AIDS Task Force and approved by the Commissioner of Health and Hospitals which will provide important referral and information telephone numbers.

8.30.030 List of vending machine operators

The License Commission and the Commissioner of Health and Hospitals shall maintain a list of vending machine operators who agree to install and maintain the vending machines in continuous working order at no cost to the owners or lessees of the premises.

8.30.040 Exemptions

A. This section shall not apply to any food or beverage seller whose establishment is not required to have a restroom.

B. The License Commission shall exempt from the provisions of this Chapter any hotel, motel, bar, restaurant or movie theater which files a written request for exemption.

C. The Commissioner of Health and Hospitals shall exempt from the provisions of this Chapter any hospital, health clinic or other health facility which files a written request for exemption.

8.30.050 Annual Report to City Manager

A. The License Commission shall determine whether hotels, motels, bars, restaurants and movie theaters comply with this Chapter, and report its findings annually to the City Manager for any necessary action.

B. The Commissioner of Health and Hospitals shall determine whether hospitals, health clinics, other health facilities and required municipal buildings comply with this Chapter, and report his or her findings annually to the City Manager for any necessary action.

In City Council November 5, 1990.

Passed to be ordained by a yea and nay vote:- Yeas 5;
Nays 4; Absent 0.

Robert W. Healy, City Manager.

ATTEST:- Joseph E. Connarton
City Clerk



City of Cambridge

In the Year One Thousand, Nine Hundred Ninety

AN ORDINANCE

In amendment to an ordinance designated as the "Cambridge Municipal Code."

Be it ordained by the City Council of the City of Cambridge as follows:

Chapter 2.48 (Fire Department) is hereby amended by adding the following four sections:

2.48.170 Regulations for Automatic Fire Alarm Systems

This section and the following three sections are intended to regulate the activities and responsibilities of the owners and tenants of buildings which have an automatic fire alarm system (AFAS), as defined in s. 201.0 of the Massachusetts State Building Code (780 OMR), which is connected directly to the Cambridge Fire Department or is connected to said Department indirectly through a private alarm company.

2.48.180 Fee for False Alarms

Regarding buildings which have an AFAS connected directly to the Fire Department or connected indirectly to said Department through a private alarm company, a fee will be charged by the Fire Department for all responses by the Department to such buildings, where the response is caused by the activation of the AFAS, and the fee may be assessed against the owner or tenant of the building. No fee will be charged in the following circumstances:

1. Where the AFAS was activated by an actual fire.

2. Where the AFAS was activated by smoke from a source such as burning food or an overheated motor or overheated electrical appliance or other equipment.

3. Where someone, with reasonable cause, activates a manual pull station.

No fee will be charged for the first three responses in any 6-month period, i.e., any period between January 1 and June 30 or between July 1 and December 31. After the third response in any 6-month period, the following fees will be assessed for subsequent responses within that period:

fourth response	\$ 50.00
fifth response	75.00
sixth response	100.00
seventh response	150.00
eighth and subsequent responses	200.00

2.48.190 Appeal

Any person who is aggrieved by the assessment of a fee pursuant to s. 2.48.180, may, within seven days of notice of said assessment, appeal in writing to the Chief of the Fire Department. The appeal will be heard by the Fire Chief or his designee.

2.48.200 Rules and Regulations

The Chief of the Fire Department may promulgate rules and regulations to implement sections 2.48.170, 2.48.180 and 2.48.190.

In City Council November 5, 1990.

Passed to be ordained by a yea and nay vote:- Yeas 9; Nays 0; Absent 0.

Robert W. Healy, City Manager.

ATTEST:- Joseph E. Connarton
City Clerk



City of Cambridge

In the Year One Thousand, Nine Hundred ninety

AN ORDINANCE

Be it ordained by the City Council of the City of Cambridge as follows:

Chapters 2.34 and 2.112 of Title 2 of the Cambridge Municipal Code are hereby amended as follows:

2.34.090 Purchasing agent for city-Exceptions.

The Purchasing Agent shall procure all supplies or services for the City or any department thereof and may delegate such power and duty pursuant to G.L. c. 30B.

2.34.100 Requisition procedures.

Any department head or official of the City in need of supplies or services shall make requisition for the same of the Purchasing Agent upon requisition blanks devised and supplied by the Purchasing Agent.

2.34.110 Delivery or receipt of supplies-Billing. [Repeal]

2.34.120 Purchases in advance of requisitions.

The Purchasing Agent shall have authority to procure in advance of requisition such supplies or services as may be needed by the City and its departments, and which requisition shall be furnished to the Purchasing Agent by the various departments.

2.34.130 Storage lease agreements.

The Purchasing Agent, with the approval of the City Manager, shall have authority to lease premises necessary for storing such supplies as he may procure.

2.34.140 City Auditor approval required.

No liability shall be incurred upon procurements of supplies or services made by the Purchasing Agent until they shall have been approved by the City Auditor.

2.34.150 Competitive contracts.

All procurements for supplies or services exceeding one thousand dollars shall be based upon competition, and all procurements for supplies or services of ten thousand dollars or over shall be made in the manner provided by Chapter 2.112 of this title.

2.34.160 Purchases made for City only.

The Purchasing Agent shall procure only such supplies and services as are to be used in the business of the City.

2.34.170 Purchase Department Reserve Fund

An appropriation shall be made to the Purchasing Department to be known as the Purchasing Department Reserve Funds, to which all purchases of supplies, not made upon specific requisitions, shall be charged and to which all payments by departments and officials for such supplies shall be credited.

2.34.180 Report of purchases made to Director of Finance. [Repeal]

2.34.190 Recordkeeping of charges.

The Purchasing Agent shall keep a record of the cost of supplies and services which shall be open at all reasonable times for public inspection.

2.34.210 Sale of surplus property.

All sales of surplus personal property made by the Purchasing Agent, where the value is less than five hundred dollars, shall be made pursuant to sound business practice.

2.34.230 Sale of surplus property--Expenses.

All expenses incurred by the Purchasing Agent in conducting any sale of the personal property of the City shall be approved by the City Auditor before payment.

2.34.240 Right of inspection of City property.

The Purchasing Agent shall at such times as he may deem

reasonable inspect the supplies of the City.

2.34.250 [Repeal]

2.34.260 Inspection of materials purchased.

All supplies and services procured, except emergency procurements, shall be inspected by or under the supervision of the Purchasing Agent.

2.34.270 Estimate of future needs.

As and when the Purchasing Agent may direct, every department, commission or board shall make an annual inventory of the personal property under its charge, and shall forward to the Purchasing Agent an estimate of the supplies it will need during the ensuing year.

2.34.280 Emergency purchases.

In case of emergency, a department head or official may directly purchase such supplies and services as may be needed, but before any liability shall accrue to the City, approval of the purchase shall be given by the City Manager.

2.112.010 Bonds required when.

Any contract exceeding ten thousand dollars for any work to be done for the City may be required to be accompanied by a bond with sureties satisfactory to the Purchasing Agent, by a deposit of certified check or other security for the faithful performance thereof approved by the Purchasing Agent. No proposal shall be accepted from or offered to any person who has breached a contract with the City during the three years preceding. All written contracts shall be executed in quadruplicate, and one of the copies shall be deposited with the Auditor.

2.112.020 Proposals and bids--Acceptance and award procedure.

No proposal or bid shall be received from any person offering to contract for supplies or services unless it is enclosed in a sealed envelope or wrapper. Such proposal or bid shall be at once placed in a sealed box in the Purchasing Department. All proposals and bids shall be publicly opened and read at the hour and place designated in the advertisement in the presence of the Purchasing Agent or such person as he may designate, and thereafter recorded.

The contract shall be awarded to the lowest bidder complying with the terms, subject to the other provisions of this chapter; provided, however, that if any such proposals or bids shall be

offered by persons who in the judgment of the board or officer issuing the advertisement shall be incompetent in respect to their means of faithfully executing the same, such proposals or bids may be rejected, notwithstanding the same to be at a lower rate than other proposals or bids offered for the same work, and the next lowest bidder shall be substituted. All proposals and bids shall be preserved by the Purchasing Department and shall be open to public inspection after the contract has been awarded and accepted by the bidder.

2.112.030 Contracts--Form.

In all cases where the amount of any contract shall exceed the sum of five thousand dollars, the contract shall be in writing and, after being signed by the parties, shall not be altered, in any particular way, without the consent of the contractor and of the board or officer making the contract, endorsed thereon. All payments for extra services or supplies, which extra services or supplies shall be approved in advance by the department head, the Purchasing Agent and the City Auditor, shall be made at the time of the final payment on such contract.

In City Council November 5, 1990.

Passed to be ordained by a yea and nay vote:- Yeas 9; Nays 0;
Absent 0.

Robert W. Healy, City Manager.

ATTEST:- Joseph E. Connarton
City Clerk



City of Cambridge

IN CITY COUNCIL

October 22, 1990

ORDERED:

That \$9,000,000.00 is appropriated in addition to the funds previously appropriated, for the purpose of financing the construction and reconstruction of sewers and sewerage systems and surface drains (Phase VI) including without limitation all costs thereof as defined in Section 1 of Chapter 29C of the General Laws; that to meet this appropriation the Treasurer with the approval of the City Manager is authorized to borrow \$9,000,000.00 and issue bonds or notes therefor under Chapter 44 of the General Laws and/or Chapter 29C of the General Laws; that such bonds or notes shall be general obligations of the City unless the Treasurer with the approval of the City Manager determines that they should be issued as limited obligations, and may be secured by local system revenues as defined in Section 1 of Chapter 29C; that the Treasurer with the approval of the City Manager is authorized to borrow all or a portion of such amount from the Massachusetts Water Pollution Abatement Trust established pursuant to Chapter 29C and in connection therewith to enter into a loan agreement and/or a security agreement with the Trust and otherwise to contract with the Trust and the Department of Environmental Protection with respect to such loan and for any federal or state aid available for the project or for the financing thereof; and that the City Manager is authorized to enter into a project regulatory agreement with the Department of Environmental Protection, to expend all funds available for the project and to take any other action necessary to carry out the project.

In City Council November 5, 1990.

Adopted by a yeas and nays vote:- Yeas 9; Nays 0; Absent 0.

ATTEST:-

Joseph E. Connarton
City Clerk



City of Cambridge

In the Year One Thousand, Nine Hundred Ninety

AN ORDINANCE

In amendment to an ordinance designated as the "Cambridge Municipal Code."

Be it ordained by the City Council of the City of Cambridge as follows:

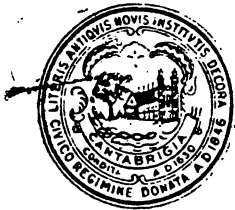
That Title 10 entitled "Vehicles and Traffic" of the Cambridge Municipal Code is hereby amended by adding a new Chapter 10.16 entitled "Parking Freeze."

Passed to a second reading at the City Council meeting held on November 5, 1990 and on or after November 19, 1990 the question comes on passing to be ordained.

ATTEST:- Joseph E. Connarton
City Clerk

NOTE: Pursuant to the provisions of General Laws, Chapter 40, Section 32A, Tercentenary Edition, the ordinance as aforesaid which exceeds in length eight octavo pages of ordinary book print may be summarized for publication in a newspaper of general circulation in the city with the further provision that said Ordinance may be examined and obtained at the City Clerk's Office during office hours and that any objection to its invalidity by reason of any defect in the procedure of adoption may only be made within ninety days after the posting or the second publication.

ATTEST:- Joseph E. Connarton
City Clerk



City of Cambridge

In the Year One Thousand, Nine Hundred ninety

AN ORDINANCE

Be it ordained by the City Council of the City of Cambridge as follows:

Chapters 2.34 and 2.112 of Title 2 of the Cambridge Municipal Code are hereby amended as follows:

2.34.090 Purchasing agent for city-Exceptions.

The Purchasing Agent shall procure all supplies or services for the City or any department thereof and may delegate such power and duty pursuant to G.L. c. 30B.

2.34.100 Requisition procedures.

Any department head or official of the City in need of supplies or services shall make requisition for the same of the Purchasing Agent upon requisition blanks devised and supplied by the Purchasing Agent.

2.34.110 Delivery or receipt of supplies-Billing. [Repeal]

2.34.120 Purchases in advance of requisitions.

The Purchasing Agent shall have authority to procure in advance of requisition such supplies or services as may be needed by the City and its departments, and which requisition shall be furnished to the Purchasing Agent by the various departments.

2.34.130 Storage lease agreements.

The Purchasing Agent, with the approval of the City Manager, shall have authority to lease premises necessary for storing such supplies as he may procure.

2.34.140 City Auditor approval required.

No liability shall be incurred upon procurements of supplies or services made by the Purchasing Agent until they shall have been approved by the City Auditor.

2.34.150 Competitive contracts.

All procurements for supplies or services exceeding one thousand dollars shall be based upon competition, and all procurements for supplies or services of ten thousand dollars or over shall be made in the manner provided by Chapter 2.112 of this title.

2.34.160 Purchases made for City only.

The Purchasing Agent shall procure only such supplies and services as are to be used in the business of the City.

2.34.170 Purchase Department Reserve Fund

An appropriation shall be made to the Purchasing Department to be known as the Purchasing Department Reserve Funds, to which all purchases of supplies, not made upon specific requisitions, shall be charged and to which all payments by departments and officials for such supplies shall be credited.

2.34.180 Report of purchases made to Director of Finance. [Repeal]

2.34.190 Recordkeeping of charges.

The Purchasing Agent shall keep a record of the cost of supplies and services which shall be open at all reasonable times for public inspection.

2.34.210 Sale of surplus property.

All sales of surplus personal property made by the Purchasing Agent, where the value is less than five hundred dollars, shall be made pursuant to sound business practice.

2.34.230 Sale of surplus property--Expenses.

All expenses incurred by the Purchasing Agent in conducting any sale of the personal property of the City shall be approved by the City Auditor before payment.

2.34.240 Right of inspection of City property.

The Purchasing Agent shall at such times as he may deem

reasonable inspect the supplies of the City.

2.34.250 [Repeal]

2.34.260 Inspection of materials purchased.

All supplies and services procured, except emergency procurements, shall be inspected by or under the supervision of the Purchasing Agent.

2.34.270 Estimate of future needs.

As and when the Purchasing Agent may direct, every department, commission or board shall make an annual inventory of the personal property under its charge, and shall forward to the Purchasing Agent an estimate of the supplies it will need during the ensuing year.

2.34.280 Emergency purchases.

In case of emergency, a department head or official may directly purchase such supplies and services as may be needed, but before any liability shall accrue to the City, approval of the purchase shall be given by the City Manager.

2.112.010 Bonds required when.

Any contract exceeding ten thousand dollars for any work to be done for the City may be required to be accompanied by a bond with sureties satisfactory to the Purchasing Agent, by a deposit of certified check or other security for the faithful performance thereof approved by the Purchasing Agent. No proposal shall be accepted from or offered to any person who has breached a contract with the City during the three years preceding. All written contracts shall be executed in quadruplicate, and one of the copies shall be deposited with the Auditor.

2.112.020 Proposals and bids--Acceptance and award procedure.

No proposal or bid shall be received from any person offering to contract for supplies or services unless it is enclosed in a sealed envelope or wrapper. Such proposal or bid shall be at once placed in a sealed box in the Purchasing Department. All proposals and bids shall be publicly opened and read at the hour and place designated in the advertisement in the presence of the Purchasing Agent or such person as he may designate, and thereafter recorded.

The contract shall be awarded to the lowest bidder complying with the terms, subject to the other provisions of this chapter; provided, however, that if any such proposals or bids shall be

offered by persons who in the judgment of the board or officer issuing the advertisement shall be incompetent in respect to their means of faithfully executing the same, such proposals or bids may be rejected, notwithstanding the same to be at a lower rate than other proposals or bids offered for the same work, and the next lowest bidder shall be substituted. All proposals and bids shall be preserved by the Purchasing Department and shall be open to public inspection after the contract has been awarded and accepted by the bidder.

2.112.030 Contracts--Form.

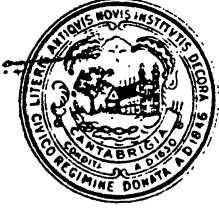
In all cases where the amount of any contract shall exceed the sum of five thousand dollars, the contract shall be in writing and, after being signed by the parties, shall not be altered, in any particular way, without the consent of the contractor and of the board or officer making the contract, endorsed thereon. All payments for extra services or supplies, which extra services or supplies shall be approved in advance by the department head, the Purchasing Agent and the City Auditor, shall be made at the time of the final payment on such contract.

In City Council November 5, 1990.

Passed to be ordained by a yea and nay vote:- Yeas 9; Nays 0;
Absent 0.

Robert W. Healy, City Manager.

ATTEST:- Joseph E. Connarton
City Clerk



City of Cambridge

In the Year One Thousand, Nine Hundred ninety

AN ORDINANCE

Be it ordained by the City Council of the City of Cambridge as follows:

Chapters 2.34 and 2.112 of Title 2 of the Cambridge Municipal Code are hereby amended as follows:

2.34.090 Purchasing agent for city-Exceptions.

The Purchasing Agent shall procure all supplies or services for the City or any department thereof and may delegate such power and duty pursuant to G.L. c. 30B.

2.34.100 Requisition procedures.

Any department head or official of the City in need of supplies or services shall make requisition for the same of the Purchasing Agent upon requisition blanks devised and supplied by the Purchasing Agent.

2.34.110 Delivery or receipt of supplies-Billing. [Repeal]

2.34.120 Purchases in advance of requisitions.

The Purchasing Agent shall have authority to procure in advance of requisition such supplies or services as may be needed by the City and its departments, and which requisition shall be furnished to the Purchasing Agent by the various departments.

2.34.130 Storage lease agreements.

The Purchasing Agent, with the approval of the City Manager, shall have authority to lease premises necessary for storing such supplies as he may procure.

2.34.140 City Auditor approval required.

No liability shall be incurred upon procurements of supplies or services made by the Purchasing Agent until they shall have been approved by the City Auditor.

2.34.150 Competitive contracts.

All procurements for supplies or services exceeding one thousand dollars shall be based upon competition, and all procurements for supplies or services of ten thousand dollars or over shall be made in the manner provided by Chapter 2.112 of this title.

2.34.160 Purchases made for City only.

The Purchasing Agent shall procure only such supplies and services as are to be used in the business of the City.

2.34.170 Purchase Department Reserve Fund

An appropriation shall be made to the Purchasing Department to be known as the Purchasing Department Reserve Funds, to which all purchases of supplies, not made upon specific requisitions, shall be charged and to which all payments by departments and officials for such supplies shall be credited.

2.34.180 Report of purchases made to Director of Finance. [Repeal]

2.34.190 Recordkeeping of charges.

The Purchasing Agent shall keep a record of the cost of supplies and services which shall be open at all reasonable times for public inspection.

2.34.210 Sale of surplus property.

All sales of surplus personal property made by the Purchasing Agent, where the value is less than five hundred dollars, shall be made pursuant to sound business practice.

2.34.230 Sale of surplus property--Expenses.

All expenses incurred by the Purchasing Agent in conducting any sale of the personal property of the City shall be approved by the City Auditor before payment.

2.34.240 Right of inspection of City property.

The Purchasing Agent shall at such times as he may deem

reasonable inspect the supplies of the City.

2.34.250 [Repeal]

2.34.260 Inspection of materials purchased.

All supplies and services procured, except emergency procurements, shall be inspected by or under the supervision of the Purchasing Agent.

2.34.270 Estimate of future needs.

As and when the Purchasing Agent may direct, every department, commission or board shall make an annual inventory of the personal property under its charge, and shall forward to the Purchasing Agent an estimate of the supplies it will need during the ensuing year.

2.34.280 Emergency purchases.

In case of emergency, a department head or official may directly purchase such supplies and services as may be needed, but before any liability shall accrue to the City, approval of the purchase shall be given by the City Manager.

2.112.010 Bonds required when.

Any contract exceeding ten thousand dollars for any work to be done for the City may be required to be accompanied by a bond with sureties satisfactory to the Purchasing Agent, by a deposit of certified check or other security for the faithful performance thereof approved by the Purchasing Agent. No proposal shall be accepted from or offered to any person who has breached a contract with the City during the three years preceding. All written contracts shall be executed in quadruplicate, and one of the copies shall be deposited with the Auditor.

2.112.020 Proposals and bids--Acceptance and award procedure.

No proposal or bid shall be received from any person offering to contract for supplies or services unless it is enclosed in a sealed envelope or wrapper. Such proposal or bid shall be at once placed in a sealed box in the Purchasing Department. All proposals and bids shall be publicly opened and read at the hour and place designated in the advertisement in the presence of the Purchasing Agent or such person as he may designate, and thereafter recorded.

The contract shall be awarded to the lowest bidder complying with the terms, subject to the other provisions of this chapter; provided, however, that if any such proposals or bids shall be

offered by persons who in the judgment of the board or officer issuing the advertisement shall be incompetent in respect to their means of faithfully executing the same, such proposals or bids may be rejected, notwithstanding the same to be at a lower rate than other proposals or bids offered for the same work, and the next lowest bidder shall be substituted. All proposals and bids shall be preserved by the Purchasing Department and shall be open to public inspection after the contract has been awarded and accepted by the bidder.

2.112.030 Contracts--Form.

In all cases where the amount of any contract shall exceed the sum of five thousand dollars, the contract shall be in writing and, after being signed by the parties, shall not be altered, in any particular way, without the consent of the contractor and of the board or officer making the contract, endorsed thereon. All payments for extra services or supplies, which extra services or supplies shall be approved in advance by the department head, the Purchasing Agent and the City Auditor, shall be made at the time of the final payment on such contract.

In City Council November 5, 1990.

Passed to be ordained by a yea and nay vote:- Yeas 9; Nays 0;
Absent 0.

Robert W. Healy, City Manager.

ATTEST:- Joseph E. Connarton
City Clerk



City of Cambridge

In the Year One Thousand, Nine Hundred ninety

AN ORDINANCE

Be it ordained by the City Council of the City of Cambridge as follows:

Chapters 2.34 and 2.112 of Title 2 of the Cambridge Municipal Code are hereby amended as follows:

2.34.090 Purchasing agent for city-Exceptions.

The Purchasing Agent shall procure all supplies or services for the City or any department thereof and may delegate such power and duty pursuant to G.L. c. 30B.

2.34.100 Requisition procedures.

Any department head or official of the City in need of supplies or services shall make requisition for the same of the Purchasing Agent upon requisition blanks devised and supplied by the Purchasing Agent.

2.34.110 Delivery or receipt of supplies-Billing. [Repeal]

2.34.120 Purchases in advance of requisitions.

The Purchasing Agent shall have authority to procure in advance of requisition such supplies or services as may be needed by the City and its departments, and which requisition shall be furnished to the Purchasing Agent by the various departments.

2.34.130 Storage lease agreements.

The Purchasing Agent, with the approval of the City Manager, shall have authority to lease premises necessary for storing such supplies as he may procure.

2.34.140 City Auditor approval required.

No liability shall be incurred upon procurements of supplies or services made by the Purchasing Agent until they shall have been approved by the City Auditor.

2.34.150 Competitive contracts.

All procurements for supplies or services exceeding one thousand dollars shall be based upon competition, and all procurements for supplies or services of ten thousand dollars or over shall be made in the manner provided by Chapter 2.112 of this title.

2.34.160 Purchases made for City only.

The Purchasing Agent shall procure only such supplies and services as are to be used in the business of the City.

2.34.170 Purchase Department Reserve Fund

An appropriation shall be made to the Purchasing Department to be known as the Purchasing Department Reserve Funds, to which all purchases of supplies, not made upon specific requisitions, shall be charged and to which all payments by departments and officials for such supplies shall be credited.

2.34.180 Report of purchases made to Director of Finance. [Repeal]

2.34.190 Recordkeeping of charges.

The Purchasing Agent shall keep a record of the cost of supplies and services which shall be open at all reasonable times for public inspection.

2.34.210 Sale of surplus property.

All sales of surplus personal property made by the Purchasing Agent, where the value is less than five hundred dollars, shall be made pursuant to sound business practice.

2.34.230 Sale of surplus property--Expenses.

All expenses incurred by the Purchasing Agent in conducting any sale of the personal property of the City shall be approved by the City Auditor before payment.

2.34.240 Right of inspection of City property.

The Purchasing Agent shall at such times as he may deem

reasonable inspect the supplies of the City.

2.34.250 [Repeal]

2.34.260 Inspection of materials purchased.

All supplies and services procured, except emergency procurements, shall be inspected by or under the supervision of the Purchasing Agent.

2.34.270 Estimate of future needs.

As and when the Purchasing Agent may direct, every department, commission or board shall make an annual inventory of the personal property under its charge, and shall forward to the Purchasing Agent an estimate of the supplies it will need during the ensuing year.

2.34.280 Emergency purchases.

In case of emergency, a department head or official may directly purchase such supplies and services as may be needed, but before any liability shall accrue to the City, approval of the purchase shall be given by the City Manager.

2.112.010 Bonds required when.

Any contract exceeding ten thousand dollars for any work to be done for the City may be required to be accompanied by a bond with sureties satisfactory to the Purchasing Agent, by a deposit of certified check or other security for the faithful performance thereof approved by the Purchasing Agent. No proposal shall be accepted from or offered to any person who has breached a contract with the City during the three years preceding. All written contracts shall be executed in quadruplicate, and one of the copies shall be deposited with the Auditor.

2.112.020 Proposals and bids--Acceptance and award procedure.

No proposal or bid shall be received from any person offering to contract for supplies or services unless it is enclosed in a sealed envelope or wrapper. Such proposal or bid shall be at once placed in a sealed box in the Purchasing Department. All proposals and bids shall be publicly opened and read at the hour and place designated in the advertisement in the presence of the Purchasing Agent or such person as he may designate, and thereafter recorded.

The contract shall be awarded to the lowest bidder complying with the terms, subject to the other provisions of this chapter; provided, however, that if any such proposals or bids shall be

offered by persons who in the judgment of the board or officer issuing the advertisement shall be incompetent in respect to their means of faithfully executing the same, such proposals or bids may be rejected, notwithstanding the same to be at a lower rate than other proposals or bids offered for the same work, and the next lowest bidder shall be substituted. All proposals and bids shall be preserved by the Purchasing Department and shall be open to public inspection after the contract has been awarded and accepted by the bidder.

2.112.030 Contracts--Form.

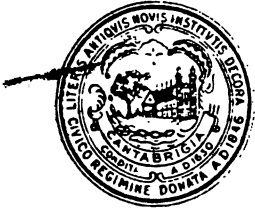
In all cases where the amount of any contract shall exceed the sum of five thousand dollars, the contract shall be in writing and, after being signed by the parties, shall not be altered, in any particular way, without the consent of the contractor and of the board or officer making the contract, endorsed thereon. All payments for extra services or supplies, which extra services or supplies shall be approved in advance by the department head, the Purchasing Agent and the City Auditor, shall be made at the time of the final payment on such contract.

In City Council November 5, 1990.

Passed to be ordained by a yea and nay vote:- Yeas 9; Nays 0;
Absent 0.

Robert W. Healy, City Manager.

ATTEST:- Joseph E. Connarton
City Clerk



City of Cambridge

In the Year One Thousand, Nine Hundred ninety

AN ORDINANCE

Be it ordained by the City Council of the City of Cambridge as follows:

Chapters 2.34 and 2.112 of Title 2 of the Cambridge Municipal Code are hereby amended as follows:

2.34.090 Purchasing agent for city-Exceptions.

The Purchasing Agent shall procure all supplies or services for the City or any department thereof and may delegate such power and duty pursuant to G.L. c. 30B.

2.34.100 Requisition procedures.

Any department head or official of the City in need of supplies or services shall make requisition for the same of the Purchasing Agent upon requisition blanks devised and supplied by the Purchasing Agent.

2.34.110 Delivery or receipt of supplies-Billing. [Repeal]

2.34.120 Purchases in advance of requisitions.

The Purchasing Agent shall have authority to procure in advance of requisition such supplies or services as may be needed by the City and its departments, and which requisition shall be furnished to the Purchasing Agent by the various departments.

2.34.130 Storage lease agreements.

The Purchasing Agent, with the approval of the City Manager, shall have authority to lease premises necessary for storing such supplies as he may procure.

2.34.140 City Auditor approval required.

No liability shall be incurred upon procurements of supplies or services made by the Purchasing Agent until they shall have been approved by the City Auditor.

2.34.150 Competitive contracts.

All procurements for supplies or services exceeding one thousand dollars shall be based upon competition, and all procurements for supplies or services of ten thousand dollars or over shall be made in the manner provided by Chapter 2.112 of this title.

2.34.160 Purchases made for City only.

The Purchasing Agent shall procure only such supplies and services as are to be used in the business of the City.

2.34.170 Purchase Department Reserve Fund

An appropriation shall be made to the Purchasing Department to be known as the Purchasing Department Reserve Funds, to which all purchases of supplies, not made upon specific requisitions, shall be charged and to which all payments by departments and officials for such supplies shall be credited.

2.34.180 Report of purchases made to Director of Finance. [Repeal]

2.34.190 Recordkeeping of charges.

The Purchasing Agent shall keep a record of the cost of supplies and services which shall be open at all reasonable times for public inspection.

2.34.210 Sale of surplus property.

All sales of surplus personal property made by the Purchasing Agent, where the value is less than five hundred dollars, shall be made pursuant to sound business practice.

2.34.230 Sale of surplus property--Expenses.

All expenses incurred by the Purchasing Agent in conducting any sale of the personal property of the City shall be approved by the City Auditor before payment.

2.34.240 Right of inspection of City property.

The Purchasing Agent shall at such times as he may deem

reasonable inspect the supplies of the City.

2.34.250 [Repeal]

2.34.260 Inspection of materials purchased.

All supplies and services procured, except emergency procurements, shall be inspected by or under the supervision of the Purchasing Agent.

2.34.270 Estimate of future needs.

As and when the Purchasing Agent may direct, every department, commission or board shall make an annual inventory of the personal property under its charge, and shall forward to the Purchasing Agent an estimate of the supplies it will need during the ensuing year.

2.34.280 Emergency purchases.

In case of emergency, a department head or official may directly purchase such supplies and services as may be needed, but before any liability shall accrue to the City, approval of the purchase shall be given by the City Manager.

2.112.010 Bonds required when.

Any contract exceeding ten thousand dollars for any work to be done for the City may be required to be accompanied by a bond with sureties satisfactory to the Purchasing Agent, by a deposit of certified check or other security for the faithful performance thereof approved by the Purchasing Agent. No proposal shall be accepted from or offered to any person who has breached a contract with the City during the three years preceding. All written contracts shall be executed in quadruplicate, and one of the copies shall be deposited with the Auditor.

2.112.020 Proposals and bids--Acceptance and award procedure.

No proposal or bid shall be received from any person offering to contract for supplies or services unless it is enclosed in a sealed envelope or wrapper. Such proposal or bid shall be at once placed in a sealed box in the Purchasing Department. All proposals and bids shall be publicly opened and read at the hour and place designated in the advertisement in the presence of the Purchasing Agent or such person as he may designate, and thereafter recorded.

The contract shall be awarded to the lowest bidder complying with the terms, subject to the other provisions of this chapter; provided, however, that if any such proposals or bids shall be

offered by persons who in the judgment of the board or officer issuing the advertisement shall be incompetent in respect to their means of faithfully executing the same, such proposals or bids may be rejected, notwithstanding the same to be at a lower rate than other proposals or bids offered for the same work, and the next lowest bidder shall be substituted. All proposals and bids shall be preserved by the Purchasing Department and shall be open to public inspection after the contract has been awarded and accepted by the bidder.

2.112.030 Contracts--Form.

In all cases where the amount of any contract shall exceed the sum of five thousand dollars, the contract shall be in writing and, after being signed by the parties, shall not be altered, in any particular way, without the consent of the contractor and of the board or officer making the contract, endorsed thereon. All payments for extra services or supplies, which extra services or supplies shall be approved in advance by the department head, the Purchasing Agent and the City Auditor, shall be made at the time of the final payment on such contract.

In City Council November 5, 1990.

Passed to be ordained by a yea and nay vote:- Yeas 9; Nays 0;
Absent 0.

Robert W. Healy, City Manager.

ATTEST:- Joseph E. Connarton
City Clerk



City of Cambridge

In the Year One Thousand, Nine Hundred ninety

AN ORDINANCE

Be it ordained by the City Council of the City of Cambridge as follows:

Chapters 2.34 and 2.112 of Title 2 of the Cambridge Municipal Code are hereby amended as follows:

2.34.090 Purchasing agent for city-Exceptions.

The Purchasing Agent shall procure all supplies or services for the City or any department thereof and may delegate such power and duty pursuant to G.L. c. 30B.

2.34.100 Requisition procedures.

Any department head or official of the City in need of supplies or services shall make requisition for the same of the Purchasing Agent upon requisition blanks devised and supplied by the Purchasing Agent.

2.34.110 Delivery or receipt of supplies-Billing. [Repeal]

2.34.120 Purchases in advance of requisitions.

The Purchasing Agent shall have authority to procure in advance of requisition such supplies or services as may be needed by the City and its departments, and which requisition shall be furnished to the Purchasing Agent by the various departments.

2.34.130 Storage lease agreements.

The Purchasing Agent, with the approval of the City Manager, shall have authority to lease premises necessary for storing such supplies as he may procure.

2.34.140 City Auditor approval required.

No liability shall be incurred upon procurements of supplies or services made by the Purchasing Agent until they shall have been approved by the City Auditor.

2.34.150 Competitive contracts.

All procurements for supplies or services exceeding one thousand dollars shall be based upon competition, and all procurements for supplies or services of ten thousand dollars or over shall be made in the manner provided by Chapter 2.112 of this title.

2.34.160 Purchases made for City only.

The Purchasing Agent shall procure only such supplies and services as are to be used in the business of the City.

2.34.170 Purchase Department Reserve Fund

An appropriation shall be made to the Purchasing Department to be known as the Purchasing Department Reserve Funds, to which all purchases of supplies, not made upon specific requisitions, shall be charged and to which all payments by departments and officials for such supplies shall be credited.

2.34.180 Report of purchases made to Director of Finance. [Repeal]

2.34.190 Recordkeeping of charges.

The Purchasing Agent shall keep a record of the cost of supplies and services which shall be open at all reasonable times for public inspection.

2.34.210 Sale of surplus property.

All sales of surplus personal property made by the Purchasing Agent, where the value is less than five hundred dollars, shall be made pursuant to sound business practice.

2.34.230 Sale of surplus property--Expenses.

All expenses incurred by the Purchasing Agent in conducting any sale of the personal property of the City shall be approved by the City Auditor before payment.

2.34.240 Right of inspection of City property.

The Purchasing Agent shall at such times as he may deem

reasonable inspect the supplies of the City.

2.34.250 [Repeal]

2.34.260 Inspection of materials purchased.

All supplies and services procured, except emergency procurements, shall be inspected by or under the supervision of the Purchasing Agent.

2.34.270 Estimate of future needs.

As and when the Purchasing Agent may direct, every department, commission or board shall make an annual inventory of the personal property under its charge, and shall forward to the Purchasing Agent an estimate of the supplies it will need during the ensuing year.

2.34.280 Emergency purchases.

In case of emergency, a department head or official may directly purchase such supplies and services as may be needed, but before any liability shall accrue to the City, approval of the purchase shall be given by the City Manager.

2.112.010 Bonds required when.

Any contract exceeding ten thousand dollars for any work to be done for the City may be required to be accompanied by a bond with sureties satisfactory to the Purchasing Agent, by a deposit of certified check or other security for the faithful performance thereof approved by the Purchasing Agent. No proposal shall be accepted from or offered to any person who has breached a contract with the City during the three years preceding. All written contracts shall be executed in quadruplicate, and one of the copies shall be deposited with the Auditor.

2.112.020 Proposals and bids--Acceptance and award procedure.

No proposal or bid shall be received from any person offering to contract for supplies or services unless it is enclosed in a sealed envelope or wrapper. Such proposal or bid shall be at once placed in a sealed box in the Purchasing Department. All proposals and bids shall be publicly opened and read at the hour and place designated in the advertisement in the presence of the Purchasing Agent or such person as he may designate, and thereafter recorded.

The contract shall be awarded to the lowest bidder complying with the terms, subject to the other provisions of this chapter; provided, however, that if any such proposals or bids shall be

offered by persons who in the judgment of the board or officer issuing the advertisement shall be incompetent in respect to their means of faithfully executing the same, such proposals or bids may be rejected, notwithstanding the same to be at a lower rate than other proposals or bids offered for the same work, and the next lowest bidder shall be substituted. All proposals and bids shall be preserved by the Purchasing Department and shall be open to public inspection after the contract has been awarded and accepted by the bidder.

2.112.030 Contracts--Form.

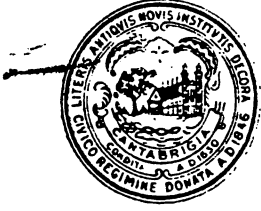
In all cases where the amount of any contract shall exceed the sum of five thousand dollars, the contract shall be in writing and, after being signed by the parties, shall not be altered, in any particular way, without the consent of the contractor and of the board or officer making the contract, endorsed thereon. All payments for extra services or supplies, which extra services or supplies shall be approved in advance by the department head, the Purchasing Agent and the City Auditor, shall be made at the time of the final payment on such contract.

In City Council November 5, 1990.

Passed to be ordained by a yea and nay vote:- Yeas 9; Nays 0;
Absent 0.

Robert W. Healy, City Manager.

ATTEST:- Joseph E. Connarton
City Clerk



City of Cambridge

In the Year One Thousand, Nine Hundred ninety

AN ORDINANCE

Be it ordained by the City Council of the City of Cambridge as follows:

Chapters 2.34 and 2.112 of Title 2 of the Cambridge Municipal Code are hereby amended as follows:

2.34.090 Purchasing agent for city-Exceptions.

The Purchasing Agent shall procure all supplies or services for the City or any department thereof and may delegate such power and duty pursuant to G.L. c. 30B.

2.34.100 Requisition procedures.

Any department head or official of the City in need of supplies or services shall make requisition for the same of the Purchasing Agent upon requisition blanks devised and supplied by the Purchasing Agent.

2.34.110 Delivery or receipt of supplies-Billing. [Repeal]

2.34.120 Purchases in advance of requisitions.

The Purchasing Agent shall have authority to procure in advance of requisition such supplies or services as may be needed by the City and its departments, and which requisition shall be furnished to the Purchasing Agent by the various departments.

2.34.130 Storage lease agreements.

The Purchasing Agent, with the approval of the City Manager, shall have authority to lease premises necessary for storing such supplies as he may procure.

2.34.140 City Auditor approval required.

No liability shall be incurred upon procurements of supplies or services made by the Purchasing Agent until they shall have been approved by the City Auditor.

2.34.150 Competitive contracts.

All procurements for supplies or services exceeding one thousand dollars shall be based upon competition, and all procurements for supplies or services of ten thousand dollars or over shall be made in the manner provided by Chapter 2.112 of this title.

2.34.160 Purchases made for City only.

The Purchasing Agent shall procure only such supplies and services as are to be used in the business of the City.

2.34.170 Purchase Department Reserve Fund

An appropriation shall be made to the Purchasing Department to be known as the Purchasing Department Reserve Funds, to which all purchases of supplies, not made upon specific requisitions, shall be charged and to which all payments by departments and officials for such supplies shall be credited.

2.34.180 Report of purchases made to Director of Finance. [Repeal]

2.34.190 Recordkeeping of charges.

The Purchasing Agent shall keep a record of the cost of supplies and services which shall be open at all reasonable times for public inspection.

2.34.210 Sale of surplus property.

All sales of surplus personal property made by the Purchasing Agent, where the value is less than five hundred dollars, shall be made pursuant to sound business practice.

2.34.230 Sale of surplus property--Expenses.

All expenses incurred by the Purchasing Agent in conducting any sale of the personal property of the City shall be approved by the City Auditor before payment.

2.34.240 Right of inspection of City property.

The Purchasing Agent shall at such times as he may deem

reasonable inspect the supplies of the City.

2.34.250 [Repeal]

2.34.260 Inspection of materials purchased.

All supplies and services procured, except emergency procurements, shall be inspected by or under the supervision of the Purchasing Agent.

2.34.270 Estimate of future needs.

As and when the Purchasing Agent may direct, every department, commission or board shall make an annual inventory of the personal property under its charge, and shall forward to the Purchasing Agent an estimate of the supplies it will need during the ensuing year.

2.34.280 Emergency purchases.

In case of emergency, a department head or official may directly purchase such supplies and services as may be needed, but before any liability shall accrue to the City, approval of the purchase shall be given by the City Manager.

2.112.010 Bonds required when.

Any contract exceeding ten thousand dollars for any work to be done for the City may be required to be accompanied by a bond with sureties satisfactory to the Purchasing Agent, by a deposit of certified check or other security for the faithful performance thereof approved by the Purchasing Agent. No proposal shall be accepted from or offered to any person who has breached a contract with the City during the three years preceding. All written contracts shall be executed in quadruplicate, and one of the copies shall be deposited with the Auditor.

2.112.020 Proposals and bids--Acceptance and award procedure.

No proposal or bid shall be received from any person offering to contract for supplies or services unless it is enclosed in a sealed envelope or wrapper. Such proposal or bid shall be at once placed in a sealed box in the Purchasing Department. All proposals and bids shall be publicly opened and read at the hour and place designated in the advertisement in the presence of the Purchasing Agent or such person as he may designate, and thereafter recorded.

The contract shall be awarded to the lowest bidder complying with the terms, subject to the other provisions of this chapter; provided, however, that if any such proposals or bids shall be

offered by persons who in the judgment of the board or officer issuing the advertisement shall be incompetent in respect to their means of faithfully executing the same, such proposals or bids may be rejected, notwithstanding the same to be at a lower rate than other proposals or bids offered for the same work, and the next lowest bidder shall be substituted. All proposals and bids shall be preserved by the Purchasing Department and shall be open to public inspection after the contract has been awarded and accepted by the bidder.

2.112.030 Contracts--Form.

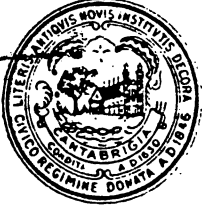
In all cases where the amount of any contract shall exceed the sum of five thousand dollars, the contract shall be in writing and, after being signed by the parties, shall not be altered, in any particular way, without the consent of the contractor and of the board or officer making the contract, endorsed thereon. All payments for extra services or supplies, which extra services or supplies shall be approved in advance by the department head, the Purchasing Agent and the City Auditor, shall be made at the time of the final payment on such contract.

In City Council November 5, 1990.

Passed to be ordained by a yea and nay vote:- Yeas 9; Nays 0;
Absent 0.

Robert W. Healy, City Manager.

ATTEST:- Joseph E. Connarton
City Clerk



City of Cambridge

In the Year One Thousand, Nine Hundred ninety

AN ORDINANCE

Be it ordained by the City Council of the City of Cambridge as follows:

Chapters 2.34 and 2.112 of Title 2 of the Cambridge Municipal Code are hereby amended as follows:

2.34.090 Purchasing agent for city-Exceptions.

The Purchasing Agent shall procure all supplies or services for the City or any department thereof and may delegate such power and duty pursuant to G.L. c. 30B.

2.34.100 Requisition procedures.

Any department head or official of the City in need of supplies or services shall make requisition for the same of the Purchasing Agent upon requisition blanks devised and supplied by the Purchasing Agent.

2.34.110 Delivery or receipt of supplies-Billing. [Repeal]

2.34.120 Purchases in advance of requisitions.

The Purchasing Agent shall have authority to procure in advance of requisition such supplies or services as may be needed by the City and its departments, and which requisition shall be furnished to the Purchasing Agent by the various departments.

2.34.130 Storage lease agreements.

The Purchasing Agent, with the approval of the City Manager, shall have authority to lease premises necessary for storing such supplies as he may procure.

2.34.140 City Auditor approval required.

No liability shall be incurred upon procurements of supplies or services made by the Purchasing Agent until they shall have been approved by the City Auditor.

2.34.150 Competitive contracts.

All procurements for supplies or services exceeding one thousand dollars shall be based upon competition, and all procurements for supplies or services of ten thousand dollars or over shall be made in the manner provided by Chapter 2.112 of this title.

2.34.160 Purchases made for City only.

The Purchasing Agent shall procure only such supplies and services as are to be used in the business of the City.

2.34.170 Purchase Department Reserve Fund

An appropriation shall be made to the Purchasing Department to be known as the Purchasing Department Reserve Funds, to which all purchases of supplies, not made upon specific requisitions, shall be charged and to which all payments by departments and officials for such supplies shall be credited.

2.34.180 Report of purchases made to Director of Finance. [Repeal]

2.34.190 Recordkeeping of charges.

The Purchasing Agent shall keep a record of the cost of supplies and services which shall be open at all reasonable times for public inspection.

2.34.210 Sale of surplus property.

All sales of surplus personal property made by the Purchasing Agent, where the value is less than five hundred dollars, shall be made pursuant to sound business practice.

2.34.230 Sale of surplus property--Expenses.

All expenses incurred by the Purchasing Agent in conducting any sale of the personal property of the City shall be approved by the City Auditor before payment.

2.34.240 Right of inspection of City property.

The Purchasing Agent shall at such times as he may deem

reasonable inspect the supplies of the City.

2.34.250 [Repeal]

2.34.260 Inspection of materials purchased.

All supplies and services procured, except emergency procurements, shall be inspected by or under the supervision of the Purchasing Agent.

2.34.270 Estimate of future needs.

As and when the Purchasing Agent may direct, every department, commission or board shall make an annual inventory of the personal property under its charge, and shall forward to the Purchasing Agent an estimate of the supplies it will need during the ensuing year.

2.34.280 Emergency purchases.

In case of emergency, a department head or official may directly purchase such supplies and services as may be needed, but before any liability shall accrue to the City, approval of the purchase shall be given by the City Manager.

2.112.010 Bonds required when.

Any contract exceeding ten thousand dollars for any work to be done for the City may be required to be accompanied by a bond with sureties satisfactory to the Purchasing Agent, by a deposit of certified check or other security for the faithful performance thereof approved by the Purchasing Agent. No proposal shall be accepted from or offered to any person who has breached a contract with the City during the three years preceding. All written contracts shall be executed in quadruplicate, and one of the copies shall be deposited with the Auditor.

2.112.020 Proposals and bids--Acceptance and award procedure.

No proposal or bid shall be received from any person offering to contract for supplies or services unless it is enclosed in a sealed envelope or wrapper. Such proposal or bid shall be at once placed in a sealed box in the Purchasing Department. All proposals and bids shall be publicly opened and read at the hour and place designated in the advertisement in the presence of the Purchasing Agent or such person as he may designate, and thereafter recorded.

The contract shall be awarded to the lowest bidder complying with the terms, subject to the other provisions of this chapter; provided, however, that if any such proposals or bids shall be

offered by persons who in the judgment of the board or officer issuing the advertisement shall be incompetent in respect to their means of faithfully executing the same, such proposals or bids may be rejected, notwithstanding the same to be at a lower rate than other proposals or bids offered for the same work, and the next lowest bidder shall be substituted. All proposals and bids shall be preserved by the Purchasing Department and shall be open to public inspection after the contract has been awarded and accepted by the bidder.

2.112.030 Contracts--Form.

In all cases where the amount of any contract shall exceed the sum of five thousand dollars, the contract shall be in writing and, after being signed by the parties, shall not be altered, in any particular way, without the consent of the contractor and of the board or officer making the contract, endorsed thereon. All payments for extra services or supplies, which extra services or supplies shall be approved in advance by the department head, the Purchasing Agent and the City Auditor, shall be made at the time of the final payment on such contract.

In City Council November 5, 1990.

Passed to be ordained by a yea and nay vote:- Yeas 9; Nays 0;
Absent 0.

Robert W. Healy, City Manager.

ATTEST:- Joseph E. Connarton
City Clerk



City of Cambridge

In the Year One Thousand, Nine Hundred ninety

AN ORDINANCE

Be it ordained by the City Council of the City of Cambridge as follows:

Chapters 2.34 and 2.112 of Title 2 of the Cambridge Municipal Code are hereby amended as follows:

2.34.090 Purchasing agent for city-Exceptions.

The Purchasing Agent shall procure all supplies or services for the City or any department thereof and may delegate such power and duty pursuant to G.L. c. 30B.

2.34.100 Requisition procedures.

Any department head or official of the City in need of supplies or services shall make requisition for the same of the Purchasing Agent upon requisition blanks devised and supplied by the Purchasing Agent.

2.34.110 Delivery or receipt of supplies-Billing. [Repeal]

2.34.120 Purchases in advance of requisitions.

The Purchasing Agent shall have authority to procure in advance of requisition such supplies or services as may be needed by the City and its departments, and which requisition shall be furnished to the Purchasing Agent by the various departments.

2.34.130 Storage lease agreements.

The Purchasing Agent, with the approval of the City Manager, shall have authority to lease premises necessary for storing such supplies as he may procure.

2.34.140 City Auditor approval required.

No liability shall be incurred upon procurements of supplies or services made by the Purchasing Agent until they shall have been approved by the City Auditor.

2.34.150 Competitive contracts.

All procurements for supplies or services exceeding one thousand dollars shall be based upon competition, and all procurements for supplies or services of ten thousand dollars or over shall be made in the manner provided by Chapter 2.112 of this title.

2.34.160 Purchases made for City only.

The Purchasing Agent shall procure only such supplies and services as are to be used in the business of the City.

2.34.170 Purchase Department Reserve Fund

An appropriation shall be made to the Purchasing Department to be known as the Purchasing Department Reserve Funds, to which all purchases of supplies, not made upon specific requisitions, shall be charged and to which all payments by departments and officials for such supplies shall be credited.

2.34.180 Report of purchases made to Director of Finance. [Repeal]

2.34.190 Recordkeeping of charges.

The Purchasing Agent shall keep a record of the cost of supplies and services which shall be open at all reasonable times for public inspection.

2.34.210 Sale of surplus property.

All sales of surplus personal property made by the Purchasing Agent, where the value is less than five hundred dollars, shall be made pursuant to sound business practice.

2.34.230 Sale of surplus property--Expenses.

All expenses incurred by the Purchasing Agent in conducting any sale of the personal property of the City shall be approved by the City Auditor before payment.

2.34.240 Right of inspection of City property.

The Purchasing Agent shall at such times as he may deem

reasonable inspect the supplies of the City.

2.34.250 [Repeal]

2.34.260 Inspection of materials purchased.

All supplies and services procured, except emergency procurements, shall be inspected by or under the supervision of the Purchasing Agent.

2.34.270 Estimate of future needs.

As and when the Purchasing Agent may direct, every department, commission or board shall make an annual inventory of the personal property under its charge, and shall forward to the Purchasing Agent an estimate of the supplies it will need during the ensuing year.

2.34.280 Emergency purchases.

In case of emergency, a department head or official may directly purchase such supplies and services as may be needed, but before any liability shall accrue to the City, approval of the purchase shall be given by the City Manager.

2.112.010 Bonds required when.

Any contract exceeding ten thousand dollars for any work to be done for the City may be required to be accompanied by a bond with sureties satisfactory to the Purchasing Agent, by a deposit of certified check or other security for the faithful performance thereof approved by the Purchasing Agent. No proposal shall be accepted from or offered to any person who has breached a contract with the City during the three years preceding. All written contracts shall be executed in quadruplicate, and one of the copies shall be deposited with the Auditor.

2.112.020 Proposals and bids--Acceptance and award procedure.

No proposal or bid shall be received from any person offering to contract for supplies or services unless it is enclosed in a sealed envelope or wrapper. Such proposal or bid shall be at once placed in a sealed box in the Purchasing Department. All proposals and bids shall be publicly opened and read at the hour and place designated in the advertisement in the presence of the Purchasing Agent or such person as he may designate, and thereafter recorded.

The contract shall be awarded to the lowest bidder complying with the terms, subject to the other provisions of this chapter; provided, however, that if any such proposals or bids shall be

offered by persons who in the judgment of the board or officer issuing the advertisement shall be incompetent in respect to their means of faithfully executing the same, such proposals or bids may be rejected, notwithstanding the same to be at a lower rate than other proposals or bids offered for the same work, and the next lowest bidder shall be substituted. All proposals and bids shall be preserved by the Purchasing Department and shall be open to public inspection after the contract has been awarded and accepted by the bidder.

2.112.030 Contracts--Form.

In all cases where the amount of any contract shall exceed the sum of five thousand dollars, the contract shall be in writing and, after being signed by the parties, shall not be altered, in any particular way, without the consent of the contractor and of the board or officer making the contract, endorsed thereon. All payments for extra services or supplies, which extra services or supplies shall be approved in advance by the department head, the Purchasing Agent and the City Auditor, shall be made at the time of the final payment on such contract.

In City Council November 5, 1990.

Passed to be ordained by a yea and nay vote:- Yeas 9; Nays 0;
Absent 0.

Robert W. Healy, City Manager.

ATTEST:- Joseph E. Connarton
City Clerk



City of Cambridge

In the Year One Thousand, Nine Hundred ninety

AN ORDINANCE

Be it ordained by the City Council of the City of Cambridge as follows:

Chapters 2.34 and 2.112 of Title 2 of the Cambridge Municipal Code are hereby amended as follows:

2.34.090 Purchasing agent for city-Exceptions.

The Purchasing Agent shall procure all supplies or services for the City or any department thereof and may delegate such power and duty pursuant to G.L. c. 30B.

2.34.100 Requisition procedures.

Any department head or official of the City in need of supplies or services shall make requisition for the same of the Purchasing Agent upon requisition blanks devised and supplied by the Purchasing Agent.

2.34.110 Delivery or receipt of supplies-Billing. [Repeal]

2.34.120 Purchases in advance of requisitions.

The Purchasing Agent shall have authority to procure in advance of requisition such supplies or services as may be needed by the City and its departments, and which requisition shall be furnished to the Purchasing Agent by the various departments.

2.34.130 Storage lease agreements.

The Purchasing Agent, with the approval of the City Manager, shall have authority to lease premises necessary for storing such supplies as he may procure.

2.34.140 City Auditor approval required.

No liability shall be incurred upon procurements of supplies or services made by the Purchasing Agent until they shall have been approved by the City Auditor.

2.34.150 Competitive contracts.

All procurements for supplies or services exceeding one thousand dollars shall be based upon competition, and all procurements for supplies or services of ten thousand dollars or over shall be made in the manner provided by Chapter 2.112 of this title.

2.34.160 Purchases made for City only.

The Purchasing Agent shall procure only such supplies and services as are to be used in the business of the City.

2.34.170 Purchase Department Reserve Fund

An appropriation shall be made to the Purchasing Department to be known as the Purchasing Department Reserve Funds, to which all purchases of supplies, not made upon specific requisitions, shall be charged and to which all payments by departments and officials for such supplies shall be credited.

2.34.180 Report of purchases made to Director of Finance. [Repeal]

2.34.190 Recordkeeping of charges.

The Purchasing Agent shall keep a record of the cost of supplies and services which shall be open at all reasonable times for public inspection.

2.34.210 Sale of surplus property.

All sales of surplus personal property made by the Purchasing Agent, where the value is less than five hundred dollars, shall be made pursuant to sound business practice.

2.34.230 Sale of surplus property--Expenses.

All expenses incurred by the Purchasing Agent in conducting any sale of the personal property of the City shall be approved by the City Auditor before payment.

2.34.240 Right of inspection of City property.

The Purchasing Agent shall at such times as he may deem

reasonable inspect the supplies of the City.

2.34.250 [Repeal]

2.34.260 Inspection of materials purchased.

All supplies and services procured, except emergency procurements, shall be inspected by or under the supervision of the Purchasing Agent.

2.34.270 Estimate of future needs.

As and when the Purchasing Agent may direct, every department, commission or board shall make an annual inventory of the personal property under its charge, and shall forward to the Purchasing Agent an estimate of the supplies it will need during the ensuing year.

2.34.280 Emergency purchases.

In case of emergency, a department head or official may directly purchase such supplies and services as may be needed, but before any liability shall accrue to the City, approval of the purchase shall be given by the City Manager.

2.112.010 Bonds required when.

Any contract exceeding ten thousand dollars for any work to be done for the City may be required to be accompanied by a bond with sureties satisfactory to the Purchasing Agent, by a deposit of certified check or other security for the faithful performance thereof approved by the Purchasing Agent. No proposal shall be accepted from or offered to any person who has breached a contract with the City during the three years preceding. All written contracts shall be executed in quadruplicate, and one of the copies shall be deposited with the Auditor.

2.112.020 Proposals and bids--Acceptance and award procedure.

No proposal or bid shall be received from any person offering to contract for supplies or services unless it is enclosed in a sealed envelope or wrapper. Such proposal or bid shall be at once placed in a sealed box in the Purchasing Department. All proposals and bids shall be publicly opened and read at the hour and place designated in the advertisement in the presence of the Purchasing Agent or such person as he may designate, and thereafter recorded.

The contract shall be awarded to the lowest bidder complying with the terms, subject to the other provisions of this chapter; provided, however, that if any such proposals or bids shall be

offered by persons who in the judgment of the board or officer issuing the advertisement shall be incompetent in respect to their means of faithfully executing the same, such proposals or bids may be rejected, notwithstanding the same to be at a lower rate than other proposals or bids offered for the same work, and the next lowest bidder shall be substituted. All proposals and bids shall be preserved by the Purchasing Department and shall be open to public inspection after the contract has been awarded and accepted by the bidder.

2.112.030 Contracts--Form.

In all cases where the amount of any contract shall exceed the sum of five thousand dollars, the contract shall be in writing and, after being signed by the parties, shall not be altered, in any particular way, without the consent of the contractor and of the board or officer making the contract, endorsed thereon. All payments for extra services or supplies, which extra services or supplies shall be approved in advance by the department head, the Purchasing Agent and the City Auditor, shall be made at the time of the final payment on such contract.

In City Council November 5, 1990.

Passed to be ordained by a yea and nay vote:- Yeas 9; Nays 0;
Absent 0.

Robert W. Healy, City Manager.

ATTEST:- Joseph E. Connarton
City Clerk



City of Cambridge

In the Year One Thousand, Nine Hundred ninety

AN ORDINANCE

Be it ordained by the City Council of the City of Cambridge as follows:

Chapters 2.34 and 2.112 of Title 2 of the Cambridge Municipal Code are hereby amended as follows:

2.34.090 Purchasing agent for city-Exceptions.

The Purchasing Agent shall procure all supplies or services for the City or any department thereof and may delegate such power and duty pursuant to G.L. c. 30B.

2.34.100 Requisition procedures.

Any department head or official of the City in need of supplies or services shall make requisition for the same of the Purchasing Agent upon requisition blanks devised and supplied by the Purchasing Agent.

2.34.110 Delivery or receipt of supplies-Billing. [Repeal]

2.34.120 Purchases in advance of requisitions.

The Purchasing Agent shall have authority to procure in advance of requisition such supplies or services as may be needed by the City and its departments, and which requisition shall be furnished to the Purchasing Agent by the various departments.

2.34.130 Storage lease agreements.

The Purchasing Agent, with the approval of the City Manager, shall have authority to lease premises necessary for storing such supplies as he may procure.

2.34.140 City Auditor approval required.

No liability shall be incurred upon procurements of supplies or services made by the Purchasing Agent until they shall have been approved by the City Auditor.

2.34.150 Competitive contracts.

All procurements for supplies or services exceeding one thousand dollars shall be based upon competition, and all procurements for supplies or services of ten thousand dollars or over shall be made in the manner provided by Chapter 2.112 of this title.

2.34.160 Purchases made for City only.

The Purchasing Agent shall procure only such supplies and services as are to be used in the business of the City.

2.34.170 Purchase Department Reserve Fund

An appropriation shall be made to the Purchasing Department to be known as the Purchasing Department Reserve Funds, to which all purchases of supplies, not made upon specific requisitions, shall be charged and to which all payments by departments and officials for such supplies shall be credited.

2.34.180 Report of purchases made to Director of Finance. [Repeal]

2.34.190 Recordkeeping of charges.

The Purchasing Agent shall keep a record of the cost of supplies and services which shall be open at all reasonable times for public inspection.

2.34.210 Sale of surplus property.

All sales of surplus personal property made by the Purchasing Agent, where the value is less than five hundred dollars, shall be made pursuant to sound business practice.

2.34.230 Sale of surplus property--Expenses.

All expenses incurred by the Purchasing Agent in conducting any sale of the personal property of the City shall be approved by the City Auditor before payment.

2.34.240 Right of inspection of City property.

The Purchasing Agent shall at such times as he may deem

reasonable inspect the supplies of the City.

2.34.250 [Repeal]

2.34.260 Inspection of materials purchased.

All supplies and services procured, except emergency procurements, shall be inspected by or under the supervision of the Purchasing Agent.

2.34.270 Estimate of future needs.

As and when the Purchasing Agent may direct, every department, commission or board shall make an annual inventory of the personal property under its charge, and shall forward to the Purchasing Agent an estimate of the supplies it will need during the ensuing year.

2.34.280 Emergency purchases.

In case of emergency, a department head or official may directly purchase such supplies and services as may be needed, but before any liability shall accrue to the City, approval of the purchase shall be given by the City Manager.

2.112.010 Bonds required when.

Any contract exceeding ten thousand dollars for any work to be done for the City may be required to be accompanied by a bond with sureties satisfactory to the Purchasing Agent, by a deposit of certified check or other security for the faithful performance thereof approved by the Purchasing Agent. No proposal shall be accepted from or offered to any person who has breached a contract with the City during the three years preceding. All written contracts shall be executed in quadruplicate, and one of the copies shall be deposited with the Auditor.

2.112.020 Proposals and bids--Acceptance and award procedure.

No proposal or bid shall be received from any person offering to contract for supplies or services unless it is enclosed in a sealed envelope or wrapper. Such proposal or bid shall be at once placed in a sealed box in the Purchasing Department. All proposals and bids shall be publicly opened and read at the hour and place designated in the advertisement in the presence of the Purchasing Agent or such person as he may designate, and thereafter recorded.

The contract shall be awarded to the lowest bidder complying with the terms, subject to the other provisions of this chapter; provided, however, that if any such proposals or bids shall be

offered by persons who in the judgment of the board or officer issuing the advertisement shall be incompetent in respect to their means of faithfully executing the same, such proposals or bids may be rejected, notwithstanding the same to be at a lower rate than other proposals or bids offered for the same work, and the next lowest bidder shall be substituted. All proposals and bids shall be preserved by the Purchasing Department and shall be open to public inspection after the contract has been awarded and accepted by the bidder.

2.112.030 Contracts--Form.

In all cases where the amount of any contract shall exceed the sum of five thousand dollars, the contract shall be in writing and, after being signed by the parties, shall not be altered, in any particular way, without the consent of the contractor and of the board or officer making the contract, endorsed thereon. All payments for extra services or supplies, which extra services or supplies shall be approved in advance by the department head, the Purchasing Agent and the City Auditor, shall be made at the time of the final payment on such contract.

In City Council November 5, 1990.

Passed to be ordained by a yea and nay vote:- Yeas 9; Nays 0;
Absent 0.

Robert W. Healy, City Manager.

ATTEST:- Joseph E. Connarton
City Clerk

City of Cambridge

MASSACHUSETTS

In City Council Nov. 5 1990

Procurement of Supplies

C. Duehay - Unfinished Bus. #3

	YEA	NAY	ABSENT	PRESENT
Mr. Ed Cyr	✓			
Mr. Francis H. Duehay	✓			
Mr. Jonathan S. Myers	✓			
Mr. Kenneth E. Reeves	✓			
Mrs. Sheila T. Russell	✓			
Mr. Walter J. Sullivan	✓			
Mr. Timothy J. Toomey, Jr.	✓			
Mr. William H. Walsh	✓			
Mayor Alice K. Wolf	✓			

9 0



OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139

(617) 498-9017

JOSEPH E. CONNARTON
CITY CLERK

JOHN E. FLYNN
DEPUTY CITY CLERK

October 24, 1990

Mr. Russell B. Higley
City Solicitor
City Hall
Cambridge, MA

Dear Sir:

Enclosed you will find three proposed amendments to the Municipal Code of the City of Cambridge which were passed to a second reading at the City Council meeting of October 22, 1990 as follows:

1. Proposed amendment relative to condom vending machines.
2. Proposed amendment relative to automatic fire alarm systems.
3. Proposed amendment relative to the procurement of supplies and services.

Enclosed also you will find a proposed loan order in the sum of \$9,000,000 for the Phase VI for the Sewer Separation Project which was passed to a second reading at the City Council meeting of October 22, 1990.

Would you kindly review these amendments and indicate your approval or disapproval on the bottom and return to this office.

Your kind attention in this matter will be greatly appreciated.

Sincerely yours,

Joseph E. Connarton
Joseph E. Connarton
City Clerk

JEC/dl

Encs. First publication numbers 2504, 2505, 2506 & 2507

c.c. Councillor Duehay, Chairman, Committee on Ordinances
Joseph Cellucci, Inspectional Services Commissioner
Birge Albright, Law Dept.



City of Cambridge

In the Year One Thousand, Nine Hundred **Ninety**

AN ORDINANCE

In amendment to an ordinance entitled the "Cambridge Municipal Code"

Be it ordained by the City Council of the City of Cambridge as follows:

- WHEREAS the effects of the AIDS epidemic have begun to show themselves in Cambridge, with a total of 95 cases reported in Cambridge and 3098 cases in Massachusetts as of May 1, 1990; and
- WHEREAS the number of people with AIDS/HIV infection for 1992 is projected to be 250,000 Americans; and
- WHEREAS the cost of caring for each person living with AIDS is estimated to be between \$50,000 and \$150,000, a portion of which would be absorbed by The Cambridge Hospital which treats many citizens who do not have health insurance; and
- WHEREAS an ever-increasing number of people contract AIDS/HIV infection as the result of an unprotected sexual contact; and
- WHEREAS latex condoms have been found to be highly effective in preventing the transmission of AIDS and other sexually transmitted diseases; and
- WHEREAS many people report the lack of accessibility and the cost of buying a whole box of high quality latex condoms as major reasons for not practicing safer sex; and
- WHEREAS the Commissioner of Health and Hospitals recommends that the City of Cambridge encourage the widest possible availability of high quality latex condoms accompanied, where possible, by information on their proper use in preventing transmission of the AIDS/HIV virus; and

WHEREAS in order to facilitate the dissemination of high quality latex condoms, the Commissioner of Health and Hospitals recommends that their availability be required in places of public accommodation; therefore

Be it ordained by the City Council of the City of Cambridge as follows:

Chapter 8 of the Code (Health and Safety) is hereby amended by adding the following new Chapter 8.30 (Prevention of AIDS/HIV Infection):

Chapter 8.30
Prevention of AIDS/HIV Infection

Sections:

- 8.30.010 Declaration of public health crisis
- 8.30.020 Requirement of vending machines which dispense condoms
- 8.30.030 List of vending machine operators
- 8.30.040 Exemptions
- 8.30.050 Annual Report to City Manager

8.30.010 Declaration of Public Health Crisis

The spread of AIDS (Acquired Immune Deficiency Syndrome) and HIV (Human Immunodeficiency Virus) infection have created a public health crisis; while there is no known cure for the virus, its spread through intimate sexual contact can be limited through the availability of affordable, high quality latex condoms in places of public accommodation.

8.30.020 Requirement of vending machines which dispense condoms

A. The following premises, which are licensed by the Cambridge License Commission, shall contain coin-operated vending machines which dispense affordable, high-quality latex condoms: hotels and motels, bars, restaurants and movie theaters. In addition, all hospitals, health clinics and health facilities and all municipal buildings, not including schools, shall maintain such vending machines.

B. The condom vending machines shall be located in a publicly accessible place, or in at least one male and one female rest room, and shall display a sticker prepared by the City of Cambridge AIDS Task Force and approved by the Commissioner of Health and Hospitals which will provide important referral and information telephone numbers.

8.30.030 List of vending machine operators

The License Commission and the Commissioner of Health and Hospitals shall maintain a list of vending machine operators who agree to install and maintain the vending machines in continuous working order at no cost to the owners or lessees of the premises.

8.30.040 Exemptions

A. This section shall not apply to any food or beverage seller whose establishment is not required to have a restroom.

B. The License Commission shall exempt from the provisions of this Chapter any hotel, motel, bar, restaurant or movie theater which files a written request for exemption.

C. The Commissioner of Health and Hospitals shall exempt from the provisions of this Chapter any hospital, health clinic or other health facility which files a written request for exemption.

8.30.050 Annual Report to City Manager

A. The License Commission shall determine whether hotels, motels, bars, restaurants and movie theaters comply with this Chapter, and report its findings annually to the City Manager for any necessary action.

B. The Commissioner of Health and Hospitals shall determine whether hospitals, health clinics, other health facilities and required municipal buildings comply with this Chapter, and report his or her findings annually to the City Manager for any necessary action.

Passed to a second reading at the City Council meeting held on October 22, 1990 and on or after November 5, 1990 the question comes on passing to be ordained

ATTEST:- Joseph E. Connarton
City Clerk



City of Cambridge

In the Year One Thousand, Nine Hundred Ninety

AN ORDINANCE

In amendment to an ordinance designated as the "Cambridge Municipal Code."

Be it ordained by the City Council of the City of Cambridge as follows:

Chapter 2.48 (Fire Department) is hereby amended by adding the following four sections:

2.48.170 Regulations for Automatic Fire Alarm Systems

This section and the following three sections are intended to regulate the activities and responsibilities of the owners and tenants of buildings which have an automatic fire alarm system (AFAS), as defined in s. 201.0 of the Massachusetts State Building Code (780 CMR), which is connected directly to the Cambridge Fire Department or is connected to said Department indirectly through a private alarm company.

2.48.180 Fee for False Alarms

Regarding buildings which have an AFAS connected directly to the Fire Department or connected indirectly to said Department through a private alarm company, a fee will be charged by the Fire Department for all responses by the Department to such buildings, where the response is caused by the activation of the AFAS, and the fee may be assessed against the owner or tenant of the building. No fee will be charged in the following circumstances:

1. Where the AFAS was activated by an actual fire.
2. Where the AFAS was activated by smoke from a source such as burning food or an overheated motor or overheated electrical appliance or other equipment.
3. Where someone, with reasonable cause, activates a manual pull station.

No fee will be charged for the first three responses in any 6-month period, i.e., any period between January 1 and June 30 or between July 1 and December 31. After the third response in any 6-month period, the following fees will be assessed for subsequent responses within that period:

fourth response	\$ 50.00
fifth response	75.00
sixth response	100.00
seventh response	150.00
eighth and subsequent responses	200.00

2.48.190 Appeal

Any person who is aggrieved by the assessment of a fee pursuant to s. 2.48.180, may, within seven days of notice of said assessment, appeal in writing to the Chief of the Fire Department. The appeal will be heard by the Fire Chief or his designee.

2.48.200 Rules and Regulations

The Chief of the Fire Department may promulgate rules and regulations to implement sections 2.48.170, 2.48.180 and 2.48.190.

Passed to a second reading at the City Council meeting held on October 22, 1990 and on or after November 5, 1990 the question comes on passing to be ordained.

ATTEST:- Joseph E. Connarton
City Clerk



City of Cambridge

In the Year One Thousand, Nine Hundred ninety

AN ORDINANCE

Be it ordained by the City Council of the City of Cambridge as follows:

Chapters 2.34 and 2.112 of Title 2 of the Cambridge Municipal Code are hereby amended as follows:

2.34.090 Purchasing agent for city-Exceptions.

The Purchasing Agent shall procure all supplies or services for the City or any department thereof and may delegate such power and duty pursuant to G.L. c. 30B.

2.34.100 Requisition procedures.

Any department head or official of the City in need of supplies or services shall make requisition for the same of the Purchasing Agent upon requisition blanks devised and supplied by the Purchasing Agent.

2.34.110 Delivery or receipt of supplies-Billing. [Repeal]

2.34.120 Purchases in advance of requisitions.

The Purchasing Agent shall have authority to procure in advance of requisition such supplies or services as may be needed by the City and its departments, and which requisition shall be furnished to the Purchasing Agent by the various departments.

2.34.130 Storage lease agreements.

The Purchasing Agent, with the approval of the City Manager, shall have authority to lease premises necessary for storing such supplies as he may procure.

2.34.140 City Auditor approval required.

No liability shall be incurred upon procurements of supplies or services made by the Purchasing Agent until they shall have been approved by the City Auditor.

2.34.150 Competitive contracts.

All procurements for supplies or services exceeding one thousand dollars shall be based upon competition, and all procurements for supplies or services of ten thousand dollars or over shall be made in the manner provided by Chapter 2.112 of this title.

2.34.160 Purchases made for City only.

The Purchasing Agent shall procure only such supplies and services as are to be used in the business of the City.

2.34.170 Purchase Department Reserve Fund

An appropriation shall be made to the Purchasing Department to be known as the Purchasing Department Reserve Funds, to which all purchases of supplies, not made upon specific requisitions, shall be charged and to which all payments by departments and officials for such supplies shall be credited.

2.34.180 Report of purchases made to Director of Finance. [Repeal]

2.34.190 Recordkeeping of charges.

The Purchasing Agent shall keep a record of the cost of supplies and services which shall be open at all reasonable times for public inspection.

2.34.210 Sale of surplus property.

All sales of surplus personal property made by the Purchasing Agent, where the value is less than five hundred dollars, shall be made pursuant to sound business practice.

2.34.230 Sale of surplus property--Expenses.

All expenses incurred by the Purchasing Agent in conducting any sale of the personal property of the City shall be approved by the City Auditor before payment.

2.34.240 Right of inspection of City property.

The Purchasing Agent shall at such times as he may deem

reasonable inspect the supplies of the City.

2.34.250 [Repeal]

2.34.260 Inspection of materials purchased.

All supplies and services procured, except emergency procurements, shall be inspected by or under the supervision of the Purchasing Agent.

2.34.270 Estimate of future needs.

As and when the Purchasing Agent may direct, every department, commission or board shall make an annual inventory of the personal property under its charge, and shall forward to the Purchasing Agent an estimate of the supplies it will need during the ensuing year.

2.34.280 Emergency purchases.

In case of emergency, a department head or official may directly purchase such supplies and services as may be needed, but before any liability shall accrue to the City, approval of the purchase shall be given by the City Manager.

2.112.010 Bonds required when.

Any contract exceeding ten thousand dollars for any work to be done for the City may be required to be accompanied by a bond with sureties satisfactory to the Purchasing Agent, by a deposit of certified check or other security for the faithful performance thereof approved by the Purchasing Agent. No proposal shall be accepted from or offered to any person who has breached a contract with the City during the three years preceding. All written contracts shall be executed in quadruplicate, and one of the copies shall be deposited with the Auditor.

2.112.020 Proposals and bids--Acceptance and award procedure.

No proposal or bid shall be received from any person offering to contract for supplies or services unless it is enclosed in a sealed envelope or wrapper. Such proposal or bid shall be at once placed in a sealed box in the Purchasing Department. All proposals and bids shall be publicly opened and read at the hour and place designated in the advertisement in the presence of the Purchasing Agent or such person as he may designate, and thereafter recorded.

The contract shall be awarded to the lowest bidder complying with the terms, subject to the other provisions of this chapter; provided, however, that if any such proposals or bids shall be

offered by persons who in the judgment of the board or officer issuing the advertisement shall be incompetent in respect to their means of faithfully executing the same, such proposals or bids may be rejected, notwithstanding the same to be at a lower rate than other proposals or bids offered for the same work, and the next lowest bidder shall be substituted. All proposals and bids shall be preserved by the Purchasing Department and shall be open to public inspection after the contract has been awarded and accepted by the bidder.

2.112.030 Contracts--Form.

In all cases where the amount of any contract shall exceed the sum of five thousand dollars, the contract shall be in writing and, after being signed by the parties, shall not be altered, in any particular way, without the consent of the contractor and of the board or officer making the contract, endorsed thereon. All payments for extra services or supplies, which extra services or supplies shall be approved in advance by the department head, the Purchasing Agent and the City Auditor, shall be made at the time of the final payment on such contract.

Passed to a second reading at the City Council meeting held on October 22, 1990 and on or after November 5, 1990 the question comes on passing to be ordained.

ATTEST:- Joseph E. Connarton
City Clerk



City of Cambridge

IN CITY COUNCIL

October 22, 1990

ORDERED:

That \$9,000,000.00 is appropriated in addition to the funds previously appropriated, for the purpose of financing the construction and reconstruction of sewers and sewerage systems and surface drains (Phase VI) including without limitation all costs thereof as defined in Section 1 of Chapter 29C of the General Laws; that to meet this appropriation the Treasurer with the approval of the City Manager is authorized to borrow \$9,000,000.00 and issue bonds or notes therefor under Chapter 44 of the General Laws and/or Chapter 29C of the General Laws; that such bonds or notes shall be general obligations of the City unless the Treasurer with the approval of the City Manager determines that they should be issued as limited obligations, and may be secured by local system revenues as defined in Section 1 of Chapter 29C; that the Treasurer with the approval of the City Manager is authorized to borrow all or a portion of such amount from the Massachusetts Water Pollution Abatement Trust established pursuant to Chapter 29C and in connection therewith to enter into a loan agreement and/or a security agreement with the Trust and otherwise to contract with the Trust and the Department of Environmental Protection with respect to such loan and for any federal or state aid available for the project or for the financing thereof; and that the City Manager is authorized to enter into a project regulatory agreement with the Department of Environmental Protection, to expend all funds available for the project and to take any other action necessary to carry out the project.

Passed to a second reading at the City Council meeting held on October 22, 1990 and on or after November 5, 1990 the question comes on adoption.

ATTEST:- Joseph E. Connarton
City Clerk.



City of Cambridge

In the Year One Thousand, Nine Hundred ninety

AN ORDINANCE

Be it ordained by the City Council of the City of Cambridge as follows:

Chapters 2.34 and 2.112 of Title 2 of the Cambridge Municipal Code are hereby amended as follows:

2.34.090 Purchasing agent for city-Exceptions.

The Purchasing Agent shall procure all supplies or services for the City or any department thereof and may delegate such power and duty pursuant to G.L. c. 30B.

2.34.100 Requisition procedures.

Any department head or official of the City in need of supplies or services shall make requisition for the same of the Purchasing Agent upon requisition blanks devised and supplied by the Purchasing Agent.

2.34.110 Delivery or receipt of supplies-Billing. [Repeal]

2.34.120 Purchases in advance of requisitions.

The Purchasing Agent shall have authority to procure in advance of requisition such supplies or services as may be needed by the City and its departments, and which requisition shall be furnished to the Purchasing Agent by the various departments.

2.34.130 Storage lease agreements.

The Purchasing Agent, with the approval of the City Manager, shall have authority to lease premises necessary for storing such supplies as he may procure.

2.34.140 City Auditor approval required.

No liability shall be incurred upon procurements of supplies or services made by the Purchasing Agent until they shall have been approved by the City Auditor.

2.34.150 Competitive contracts.

All procurements for supplies or services exceeding one thousand dollars shall be based upon competition, and all procurements for supplies or services of ten thousand dollars or over shall be made in the manner provided by Chapter 2.112 of this title.

2.34.160 Purchases made for City only.

The Purchasing Agent shall procure only such supplies and services as are to be used in the business of the City.

2.34.170 Purchase Department Reserve Fund

An appropriation shall be made to the Purchasing Department to be known as the Purchasing Department Reserve Funds, to which all purchases of supplies, not made upon specific requisitions, shall be charged and to which all payments by departments and officials for such supplies shall be credited.

2.34.180 Report of purchases made to Director of Finance. [Repeal]

2.34.190 Recordkeeping of charges.

The Purchasing Agent shall keep a record of the cost of supplies and services which shall be open at all reasonable times for public inspection.

2.34.210 Sale of surplus property.

All sales of surplus personal property made by the Purchasing Agent, where the value is less than five hundred dollars, shall be made pursuant to sound business practice.

2.34.230 Sale of surplus property--Expenses.

All expenses incurred by the Purchasing Agent in conducting any sale of the personal property of the City shall be approved by the City Auditor before payment.

2.34.240 Right of inspection of City property.

The Purchasing Agent shall at such times as he may deem

reasonable inspect the supplies of the City.

2.34.250 [Repeal]

2.34.260 Inspection of materials purchased.

All supplies and services procured, except emergency procurements, shall be inspected by or under the supervision of the Purchasing Agent.

2.34.270 Estimate of future needs.

As and when the Purchasing Agent may direct, every department, commission or board shall make an annual inventory of the personal property under its charge, and shall forward to the Purchasing Agent an estimate of the supplies it will need during the ensuing year.

2.34.280 Emergency purchases.

In case of emergency, a department head or official may directly purchase such supplies and services as may be needed, but before any liability shall accrue to the City, approval of the purchase shall be given by the City Manager.

2.112.010 Bonds required when.

Any contract exceeding ten thousand dollars for any work to be done for the City may be required to be accompanied by a bond with sureties satisfactory to the Purchasing Agent, by a deposit of certified check or other security for the faithful performance thereof approved by the Purchasing Agent. No proposal shall be accepted from or offered to any person who has breached a contract with the City during the three years preceding. All written contracts shall be executed in quadruplicate, and one of the copies shall be deposited with the Auditor.

2.112.020 Proposals and bids--Acceptance and award procedure.

No proposal or bid shall be received from any person offering to contract for supplies or services unless it is enclosed in a sealed envelope or wrapper. Such proposal or bid shall be at once placed in a sealed box in the Purchasing Department. All proposals and bids shall be publicly opened and read at the hour and place designated in the advertisement in the presence of the Purchasing Agent or such person as he may designate, and thereafter recorded.

The contract shall be awarded to the lowest bidder complying with the terms, subject to the other provisions of this chapter; provided, however, that if any such proposals or bids shall be

offered by persons who in the judgment of the board or officer issuing the advertisement shall be incompetent in respect to their means of faithfully executing the same, such proposals or bids may be rejected, notwithstanding the same to be at a lower rate than other proposals or bids offered for the same work, and the next lowest bidder shall be substituted. All proposals and bids shall be preserved by the Purchasing Department and shall be open to public inspection after the contract has been awarded and accepted by the bidder.

2.112.030 Contracts--Form.

In all cases where the amount of any contract shall exceed the sum of five thousand dollars, the contract shall be in writing and, after being signed by the parties, shall not be altered, in any particular way, without the consent of the contractor and of the board or officer making the contract, endorsed thereon. All payments for extra services or supplies, which extra services or supplies shall be approved in advance by the department head, the Purchasing Agent and the City Auditor, shall be made at the time of the final payment on such contract.

Passed to a second reading at the City Council meeting held on October 22, 1990 and on or after November 5, 1990 the question comes on passing to be ordained.

ATTEST:- Joseph E. Connarton
City Clerk



City of Cambridge

In the Year One Thousand, Nine Hundred ninety

AN ORDINANCE

Be it ordained by the City Council of the City of Cambridge as follows:

Chapters 2.34 and 2.112 of Title 2 of the Cambridge Municipal Code are hereby amended as follows:

2.34.090 Purchasing agent for city-Exceptions.

The Purchasing Agent shall procure all supplies or services for the City or any department thereof and may delegate such power and duty pursuant to G.L. c. 30B.

2.34.100 Requisition procedures.

Any department head or official of the City in need of supplies or services shall make requisition for the same of the Purchasing Agent upon requisition blanks devised and supplied by the Purchasing Agent.

2.34.110 Delivery or receipt of supplies-Billing. [Repeal]

2.34.120 Purchases in advance of requisitions.

The Purchasing Agent shall have authority to procure in advance of requisition such supplies or services as may be needed by the City and its departments, and which requisition shall be furnished to the Purchasing Agent by the various departments.

2.34.130 Storage lease agreements.

The Purchasing Agent, with the approval of the City Manager, shall have authority to lease premises necessary for storing such supplies as he may procure.

2.34.140 City Auditor approval required.

No liability shall be incurred upon procurements of supplies or services made by the Purchasing Agent until they shall have been approved by the City Auditor.

2.34.150 Competitive contracts.

All procurements for supplies or services exceeding one thousand dollars shall be based upon competition, and all procurements for supplies or services of ten thousand dollars or over shall be made in the manner provided by Chapter 2.112 of this title.

2.34.160 Purchases made for City only.

The Purchasing Agent shall procure only such supplies and services as are to be used in the business of the City.

2.34.170 Purchase Department Reserve Fund

An appropriation shall be made to the Purchasing Department to be known as the Purchasing Department Reserve Funds, to which all purchases of supplies, not made upon specific requisitions, shall be charged and to which all payments by departments and officials for such supplies shall be credited.

2.34.180 Report of purchases made to Director of Finance. [Repeal]

2.34.190 Recordkeeping of charges.

The Purchasing Agent shall keep a record of the cost of supplies and services which shall be open at all reasonable times for public inspection.

2.34.210 Sale of surplus property.

All sales of surplus personal property made by the Purchasing Agent, where the value is less than five hundred dollars, shall be made pursuant to sound business practice.

2.34.230 Sale of surplus property--Expenses.

All expenses incurred by the Purchasing Agent in conducting any sale of the personal property of the City shall be approved by the City Auditor before payment.

2.34.240 Right of inspection of City property.

The Purchasing Agent shall at such times as he may deem

reasonable inspect the supplies of the City.

2.34.250 [Repeal]

2.34.260 Inspection of materials purchased.

All supplies and services procured, except emergency procurements, shall be inspected by or under the supervision of the Purchasing Agent.

2.34.270 Estimate of future needs.

As and when the Purchasing Agent may direct, every department, commission or board shall make an annual inventory of the personal property under its charge, and shall forward to the Purchasing Agent an estimate of the supplies it will need during the ensuing year.

2.34.280 Emergency purchases.

In case of emergency, a department head or official may directly purchase such supplies and services as may be needed, but before any liability shall accrue to the City, approval of the purchase shall be given by the City Manager.

2.112.010 Bonds required when.

Any contract exceeding ten thousand dollars for any work to be done for the City may be required to be accompanied by a bond with sureties satisfactory to the Purchasing Agent, by a deposit of certified check or other security for the faithful performance thereof approved by the Purchasing Agent. No proposal shall be accepted from or offered to any person who has breached a contract with the City during the three years preceding. All written contracts shall be executed in quadruplicate, and one of the copies shall be deposited with the Auditor.

2.112.020 Proposals and bids--Acceptance and award procedure.

No proposal or bid shall be received from any person offering to contract for supplies or services unless it is enclosed in a sealed envelope or wrapper. Such proposal or bid shall be at once placed in a sealed box in the Purchasing Department. All proposals and bids shall be publicly opened and read at the hour and place designated in the advertisement in the presence of the Purchasing Agent or such person as he may designate, and thereafter recorded.

The contract shall be awarded to the lowest bidder complying with the terms, subject to the other provisions of this chapter; provided, however, that if any such proposals or bids shall be

offered by persons who in the judgment of the board or officer issuing the advertisement shall be incompetent in respect to their means of faithfully executing the same, such proposals or bids may be rejected, notwithstanding the same to be at a lower rate than other proposals or bids offered for the same work, and the next lowest bidder shall be substituted. All proposals and bids shall be preserved by the Purchasing Department and shall be open to public inspection after the contract has been awarded and accepted by the bidder.

2.112.030 Contracts--Form.

In all cases where the amount of any contract shall exceed the sum of five thousand dollars, the contract shall be in writing and, after being signed by the parties, shall not be altered, in any particular way, without the consent of the contractor and of the board or officer making the contract, endorsed thereon. All payments for extra services or supplies, which extra services or supplies shall be approved in advance by the department head, the Purchasing Agent and the City Auditor, shall be made at the time of the final payment on such contract.

Passed to a second reading at the City Council meeting held on October 22, 1990 and on or after November 5, 1990 the question comes on passing to be ordained.

ATTEST:- Joseph E. Connarton
City Clerk



City of Cambridge

In the Year One Thousand, Nine Hundred ninety

AN ORDINANCE

Be it ordained by the City Council of the City of Cambridge as follows:

Chapters 2.34 and 2.112 of Title 2 of the Cambridge Municipal Code are hereby amended as follows:

2.34.090 Purchasing agent for city-Exceptions.

The Purchasing Agent shall procure all supplies or services for the City or any department thereof and may delegate such power and duty pursuant to G.L. c. 30B.

2.34.100 Requisition procedures.

Any department head or official of the City in need of supplies or services shall make requisition for the same of the Purchasing Agent upon requisition blanks devised and supplied by the Purchasing Agent.

2.34.110 Delivery or receipt of supplies-Billing. [Repeal]

2.34.120 Purchases in advance of requisitions.

The Purchasing Agent shall have authority to procure in advance of requisition such supplies or services as may be needed by the City and its departments, and which requisition shall be furnished to the Purchasing Agent by the various departments.

2.34.130 Storage lease agreements.

The Purchasing Agent, with the approval of the City Manager, shall have authority to lease premises necessary for storing such supplies as he may procure.

2.34.140 City Auditor approval required.

No liability shall be incurred upon procurements of supplies or services made by the Purchasing Agent until they shall have been approved by the City Auditor.

2.34.150 Competitive contracts.

All procurements for supplies or services exceeding one thousand dollars shall be based upon competition, and all procurements for supplies or services of ten thousand dollars or over shall be made in the manner provided by Chapter 2.112 of this title.

2.34.160 Purchases made for City only.

The Purchasing Agent shall procure only such supplies and services as are to be used in the business of the City.

2.34.170 Purchase Department Reserve Fund

An appropriation shall be made to the Purchasing Department to be known as the Purchasing Department Reserve Funds, to which all purchases of supplies, not made upon specific requisitions, shall be charged and to which all payments by departments and officials for such supplies shall be credited.

2.34.180 Report of purchases made to Director of Finance. [Repeal]

2.34.190 Recordkeeping of charges.

The Purchasing Agent shall keep a record of the cost of supplies and services which shall be open at all reasonable times for public inspection.

2.34.210 Sale of surplus property.

All sales of surplus personal property made by the Purchasing Agent, where the value is less than five hundred dollars, shall be made pursuant to sound business practice.

2.34.230 Sale of surplus property--Expenses.

All expenses incurred by the Purchasing Agent in conducting any sale of the personal property of the City shall be approved by the City Auditor before payment.

2.34.240 Right of inspection of City property.

The Purchasing Agent shall at such times as he may deem

reasonable inspect the supplies of the City.

2.34.250 [Repeal]

2.34.260 Inspection of materials purchased.

All supplies and services procured, except emergency procurements, shall be inspected by or under the supervision of the Purchasing Agent.

2.34.270 Estimate of future needs.

As and when the Purchasing Agent may direct, every department, commission or board shall make an annual inventory of the personal property under its charge, and shall forward to the Purchasing Agent an estimate of the supplies it will need during the ensuing year.

2.34.280 Emergency purchases.

In case of emergency, a department head or official may directly purchase such supplies and services as may be needed, but before any liability shall accrue to the City, approval of the purchase shall be given by the City Manager.

2.112.010 Bonds required when.

Any contract exceeding ten thousand dollars for any work to be done for the City may be required to be accompanied by a bond with sureties satisfactory to the Purchasing Agent, by a deposit of certified check or other security for the faithful performance thereof approved by the Purchasing Agent. No proposal shall be accepted from or offered to any person who has breached a contract with the City during the three years preceding. All written contracts shall be executed in quadruplicate, and one of the copies shall be deposited with the Auditor.

2.112.020 Proposals and bids--Acceptance and award procedure.

No proposal or bid shall be received from any person offering to contract for supplies or services unless it is enclosed in a sealed envelope or wrapper. Such proposal or bid shall be at once placed in a sealed box in the Purchasing Department. All proposals and bids shall be publicly opened and read at the hour and place designated in the advertisement in the presence of the Purchasing Agent or such person as he may designate, and thereafter recorded.

The contract shall be awarded to the lowest bidder complying with the terms, subject to the other provisions of this chapter; provided, however, that if any such proposals or bids shall be

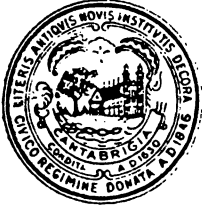
offered by persons who in the judgment of the board or officer issuing the advertisement shall be incompetent in respect to their means of faithfully executing the same, such proposals or bids may be rejected, notwithstanding the same to be at a lower rate than other proposals or bids offered for the same work, and the next lowest bidder shall be substituted. All proposals and bids shall be preserved by the Purchasing Department and shall be open to public inspection after the contract has been awarded and accepted by the bidder.

2.112.030 Contracts--Form.

In all cases where the amount of any contract shall exceed the sum of five thousand dollars, the contract shall be in writing and, after being signed by the parties, shall not be altered, in any particular way, without the consent of the contractor and of the board or officer making the contract, endorsed thereon. All payments for extra services or supplies, which extra services or supplies shall be approved in advance by the department head, the Purchasing Agent and the City Auditor, shall be made at the time of the final payment on such contract.

Passed to a second reading at the City Council meeting held on October 22, 1990 and on or after November 5, 1990 the question comes on passing to be ordained.

ATTEST:- Joseph E. Connarton
City Clerk



City of Cambridge

In the Year One Thousand, Nine Hundred ninety

AN ORDINANCE

Be it ordained by the City Council of the City of Cambridge as follows:

Chapters 2.34 and 2.112 of Title 2 of the Cambridge Municipal Code are hereby amended as follows:

2.34.090 Purchasing agent for city-Exceptions.

The Purchasing Agent shall procure all supplies or services for the City or any department thereof and may delegate such power and duty pursuant to G.L. c. 30B.

2.34.100 Requisition procedures.

Any department head or official of the City in need of supplies or services shall make requisition for the same of the Purchasing Agent upon requisition blanks devised and supplied by the Purchasing Agent.

2.34.110 Delivery or receipt of supplies-Billing. [Repeal]

2.34.120 Purchases in advance of requisitions.

The Purchasing Agent shall have authority to procure in advance of requisition such supplies or services as may be needed by the City and its departments, and which requisition shall be furnished to the Purchasing Agent by the various departments.

2.34.130 Storage lease agreements.

The Purchasing Agent, with the approval of the City Manager, shall have authority to lease premises necessary for storing such supplies as he may procure.

2.34.140 City Auditor approval required.

No liability shall be incurred upon procurements of supplies or services made by the Purchasing Agent until they shall have been approved by the City Auditor.

2.34.150 Competitive contracts.

All procurements for supplies or services exceeding one thousand dollars shall be based upon competition, and all procurements for supplies or services of ten thousand dollars or over shall be made in the manner provided by Chapter 2.112 of this title.

2.34.160 Purchases made for City only.

The Purchasing Agent shall procure only such supplies and services as are to be used in the business of the City.

2.34.170 Purchase Department Reserve Fund

An appropriation shall be made to the Purchasing Department to be known as the Purchasing Department Reserve Funds, to which all purchases of supplies, not made upon specific requisitions, shall be charged and to which all payments by departments and officials for such supplies shall be credited.

2.34.180 Report of purchases made to Director of Finance. [Repeal]

2.34.190 Recordkeeping of charges.

The Purchasing Agent shall keep a record of the cost of supplies and services which shall be open at all reasonable times for public inspection.

2.34.210 Sale of surplus property.

All sales of surplus personal property made by the Purchasing Agent, where the value is less than five hundred dollars, shall be made pursuant to sound business practice.

2.34.230 Sale of surplus property--Expenses.

All expenses incurred by the Purchasing Agent in conducting any sale of the personal property of the City shall be approved by the City Auditor before payment.

2.34.240 Right of inspection of City property.

The Purchasing Agent shall at such times as he may deem

reasonable inspect the supplies of the City.

2.34.250 [Repeal]

2.34.260 Inspection of materials purchased.

All supplies and services procured, except emergency procurements, shall be inspected by or under the supervision of the Purchasing Agent.

2.34.270 Estimate of future needs.

As and when the Purchasing Agent may direct, every department, commission or board shall make an annual inventory of the personal property under its charge, and shall forward to the Purchasing Agent an estimate of the supplies it will need during the ensuing year.

2.34.280 Emergency purchases.

In case of emergency, a department head or official may directly purchase such supplies and services as may be needed, but before any liability shall accrue to the City, approval of the purchase shall be given by the City Manager.

2.112.010 Bonds required when.

Any contract exceeding ten thousand dollars for any work to be done for the City may be required to be accompanied by a bond with sureties satisfactory to the Purchasing Agent, by a deposit of certified check or other security for the faithful performance thereof approved by the Purchasing Agent. No proposal shall be accepted from or offered to any person who has breached a contract with the City during the three years preceding. All written contracts shall be executed in quadruplicate, and one of the copies shall be deposited with the Auditor.

2.112.020 Proposals and bids--Acceptance and award procedure.

No proposal or bid shall be received from any person offering to contract for supplies or services unless it is enclosed in a sealed envelope or wrapper. Such proposal or bid shall be at once placed in a sealed box in the Purchasing Department. All proposals and bids shall be publicly opened and read at the hour and place designated in the advertisement in the presence of the Purchasing Agent or such person as he may designate, and thereafter recorded.

The contract shall be awarded to the lowest bidder complying with the terms, subject to the other provisions of this chapter; provided, however, that if any such proposals or bids shall be

offered by persons who in the judgment of the board or officer issuing the advertisement shall be incompetent in respect to their means of faithfully executing the same, such proposals or bids may be rejected, notwithstanding the same to be at a lower rate than other proposals or bids offered for the same work, and the next lowest bidder shall be substituted. All proposals and bids shall be preserved by the Purchasing Department and shall be open to public inspection after the contract has been awarded and accepted by the bidder.

2.112.030 Contracts--Form.

In all cases where the amount of any contract shall exceed the sum of five thousand dollars, the contract shall be in writing and, after being signed by the parties, shall not be altered, in any particular way, without the consent of the contractor and of the board or officer making the contract, endorsed thereon. All payments for extra services or supplies, which extra services or supplies shall be approved in advance by the department head, the Purchasing Agent and the City Auditor, shall be made at the time of the final payment on such contract.

Passed to a second reading at the City Council meeting held on October 22, 1990 and on or after November 5, 1990 the question comes on passing to be ordained.

ATTEST:- Joseph E. Connarton
City Clerk



CITY OF CAMBRIDGE
CAMBRIDGE, MASSACHUSETTS 02139
TEL. 498-9011
FAX. 868-8159

EXECUTIVE DEPARTMENT
ROBERT W. HEALY
City Manager

RICHARD C. ROSSI
Deputy City Manager

June 30, 1990

To The Honorable, The City Council:

Attached, please find a communication from Russell B. Higley, City Solicitor, recommending the attached amendments to the City Code to enable it to conform to the new M.G.L. c.30B, which governs procurement of supplies and services. It is my recommendation that this be referred to the City Council Committee on Ordinances.

Very truly yours,

Robert W. Healy
City Manager

RWH/mev
enclosure



CITY OF CAMBRIDGE

Russell B. Higley
City Solicitor

Donald A. Drisdell
Deputy City Solicitor

Michael C. Costello
Assistant City Solicitor

Office of the City Solicitor
City Hall
795 Massachusetts Avenue
Cambridge, Massachusetts 02139

(617) 498-9020

Birge Albright
Legal Counsel

Gail S. Gabriel
Legal Counsel

Joseph M. Kaigler
Legal Counsel

Diane Wynshaw-Boris
Legal Counsel

July 13, 1990

Robert W. Healy, City Manager
City of Cambridge
795 Massachusetts Avenue
Cambridge, MA 02139

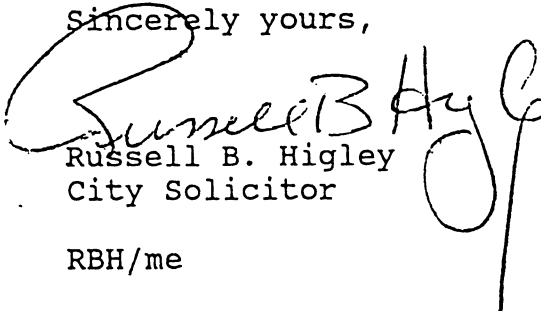
RE: Municipal Code Amendments - Chapters 2.34 and 2.112

Dear Mr. Healy,

I am recommending that the attached amendments be presented to City Council for its approval. The changes are made in an effort to conform to the new M.G.L. c.30B which governs procurement of supplies and services. For your convenience, I have enclosed a red-lined version of the ordinances.

Should you have any questions, please call me.

Sincerely yours,


Russell B. Higley
City Solicitor

RBH/me

Encl.: as stated



City of Cambridge

In the Year One Thousand, Nine Hundred ninety

AN ORDINANCE

Be it ordained by the City Council of the City of Cambridge as follows:

Chapters 2.34 and 2.112 of Title 2 of the Cambridge Municipal Code are hereby amended as follows:

2.34.090 Purchasing agent for city-Exceptions.

The Purchasing Agent shall procure all supplies or services for the City or any department thereof and may delegate such power and duty pursuant to G.L. c. 30B.

2.34.100 Requisition procedures.

Any department head or official of the City in need of supplies or services shall make requisition for the same of the Purchasing Agent upon requisition blanks devised and supplied by the Purchasing Agent.

2.34.110 Delivery or receipt of supplies-Billing. [Repeal]

2.34.120 Purchases in advance of requisitions.

The Purchasing Agent shall have authority to procure in advance of requisition such supplies or services as may be needed by the City and its departments, and which requisition shall be furnished to the Purchasing Agent by the various departments.

2.34.130 Storage lease agreements.

The Purchasing Agent, with the approval of the City Manager, shall have authority to lease premises necessary for storing such supplies as he may procure.

2.34.140 City Auditor approval required.

No liability shall be incurred upon procurements of supplies or services made by the Purchasing Agent until they shall have been approved by the City Auditor.

2.34.150 Competitive contracts.

All procurements for supplies or services exceeding one thousand dollars shall be based upon competition, and all procurements for supplies or services of ten thousand dollars or over shall be made in the manner provided by Chapter 2.112 of this title.

2.34.160 Purchases made for City only.

The Purchasing Agent shall procure only such supplies and services as are to be used in the business of the City.

2.34.170 Purchase Department Reserve Fund

An appropriation shall be made to the Purchasing Department to be known as the Purchasing Department Reserve Funds, to which all purchases of supplies, not made upon specific requisitions, shall be charged and to which all payments by departments and officials for such supplies shall be credited.

2.34.180 Report of purchases made to Director of Finance. [Repeal]**2.34.190 Recordkeeping of charges.**

The Purchasing Agent shall keep a record of the cost of supplies and services which shall be open at all reasonable times for public inspection.

2.34.210 Sale of surplus property.

All sales of surplus personal property made by the Purchasing Agent, where the value is less than five hundred dollars, shall be made pursuant to sound business practice.

2.34.230 Sale of surplus property--Expenses.

All expenses incurred by the Purchasing Agent in conducting any sale of the personal property of the City shall be approved by the City Auditor before payment.

2.34.240 Right of inspection of City property.

The Purchasing Agent shall at such times as he may deem

reasonable inspect the supplies of the City.

2.34.250 [Repeal]

2.34.260 Inspection of materials purchased.

All supplies and services procured, except emergency procurements, shall be inspected by or under the supervision of the Purchasing Agent.

2.34.270 Estimate of future needs.

As and when the Purchasing Agent may direct, every department, commission or board shall make an annual inventory of the personal property under its charge, and shall forward to the Purchasing Agent an estimate of the supplies it will need during the ensuing year.

2.34.280 Emergency purchases.

In case of emergency, a department head or official may directly purchase such supplies and services as may be needed, but before any liability shall accrue to the City, approval of the purchase shall be given by the City Manager.

2.112.010 Bonds required when.

Any contract exceeding ten thousand dollars for any work to be done for the City may be required to be accompanied by a bond with sureties satisfactory to the Purchasing Agent, by a deposit of certified check or other security for the faithful performance thereof approved by the Purchasing Agent. No proposal shall be accepted from or offered to any person who has breached a contract with the City during the three years preceding. All written contracts shall be executed in quadruplicate, and one of the copies shall be deposited with the Auditor.

2.112.020 Proposals and bids--Acceptance and award procedure.

No proposal or bid shall be received from any person offering to contract for supplies or services unless it is enclosed in a sealed envelope or wrapper. Such proposal or bid shall be at once placed in a sealed box in the Purchasing Department. All proposals and bids shall be publicly opened and read at the hour and place designated in the advertisement in the presence of the Purchasing Agent or such person as he may designate, and thereafter recorded.

The contract shall be awarded to the lowest bidder complying with the terms, subject to the other provisions of this chapter; provided, however, that if any such proposals or bids shall be

offered by persons who in the judgment of the board or officer issuing the advertisement shall be incompetent in respect to their means of faithfully executing the same, such proposals or bids may be rejected, notwithstanding the same to be at a lower rate than other proposals or bids offered for the same work, and the next lowest bidder shall be substituted. All proposals and bids shall be preserved by the Purchasing Department and shall be open to public inspection after the contract has been awarded and accepted by the bidder.

2.112.030 Contracts--Form.

In all cases where the amount of any contract shall exceed the sum of five thousand dollars, the contract shall be in writing and, after being signed by the parties, shall not be altered, in any particular way, without the consent of the contractor and of the board or officer making the contract, endorsed thereon. All payments for extra services or supplies, which extra services or supplies shall be approved in advance by the department head, the Purchasing Agent and the City Auditor, shall be made at the time of the final payment on such contract.

Chapters 2.34 and 2.112 of Title 2 of the Cambridge Municipal Code are hereby amended as follows:

2.34.090 Purchasing agent for city-Exceptions.

The Purchasing Agent shall ~~purchase all equipment, materials and procure all supplies or services~~ for the City or any department thereof, ~~except in case of emergency and may delegate such power and duty pursuant to G.L. c. 30B.~~

2.34.100 Requisition procedures.

Any department head or official of the City in need of ~~equipment, materials or supplies or services~~ shall make requisition for the same of the Purchasing Agent upon requisition blanks devised and supplied by the Purchasing Agent.

2.34.110 Delivery or receipt of supplies-Billing. [Repeal]

~~When equipment, materials or supplies are delivered by the Purchasing Agent to any department or official that ordered them, a receipt shall be given to the Purchasing Agent, and the bill from the Purchasing Agent shall be transmitted to the Auditor by the department or official.~~

2.34.120 Purchases in advance of requisitions.

The Purchasing Agent shall have authority to ~~purchase~~ procure in advance of requisition such ~~equipment, materials or supplies or services~~ as may be needed by the City and its departments, and which ~~upon~~ requisition shall be furnished to the Purchasing Agent by the various departments.

2.34.130 Storage lease agreements.

The Purchasing Agent, with the approval of the City Manager, shall have authority to lease premises necessary for storing such ~~goods~~ supplies as he may ~~purchase~~ procure.

2.34.140 ~~Director of Finance~~ City Auditor approval required.

No liability shall be incurred upon ~~purchases~~ procurements of supplies or services made by the Purchasing Agent until they shall have been approved by the ~~Director of Finance~~ City Auditor.

2.34.150 Competitive contracts.

All ~~purchases or contracts for purchases~~ procurements for supplies or services exceeding two hundred fiftyone thousand dollars shall be based upon competition, and all ~~purchases or contracts for purchases of four~~ procurements for supplies or services of ten thousand dollars or over shall be made in the manner provided by Chapter 2.110~~2~~ of this title.

2.34.160 Purchases made for City only.

The Purchasing Agent shall ~~purchase~~^{procure} only such ~~equipment, materials or supplies~~ and ~~services~~ as are to be used in the business of the City.

2.34.170 Purchase Department Reserve Fund

An appropriation shall be made to the Purchasing Department to be known as the Purchasing Department Reserve Funds, to which all purchases of ~~equipment, materials or supplies~~, not made upon specific requisitions, shall be charged and to which all payments by departments and officials for such ~~equipment, materials or supplies~~ shall be credited.

2.34.180 Report of purchases made to Director of Finance. [Repeal]

~~The Purchasing Agent shall within a reasonable time after the end of each month report to the Director of Finance the purchases made by him during the month preceding and also equipment, materials or supplies or services furnished by him to each department or official.~~

2.34.190 Recordkeeping of charges.

The Purchasing Agent shall keep a record of the ~~prices paid for equipment, materials or cost of supplies, and services~~ which shall be open at all reasonable times for public inspection.

2.34.210 Sale of surplus property--~~Public auction.~~

All sales of ~~surplus~~ personal property made by the Purchasing Agent, where the value exceeds ~~one's~~ less than five hundred dollars, shall be made in public, by auctioning or otherwise, and, ~~if by auction, advertisements of the time and place of such auction shall be made in newspaper published in the City at least one week in advance and such property shall be sold to the highest bidder, unless in the opinion of the Purchasing Agent such bid is less than the value of the property pursuant to sound business practice.~~

2.34.230 Sale of surplus property--Expenses.

All expenses incurred by the Purchasing Agent in conducting any sale of the personal property of the City shall be approved by the ~~Director of Finance~~^{City Auditor} before payment.

2.34.240 Right of inspection of City property.

The Purchasing Agent shall at such times as he may deem reasonable inspect the ~~equipment, materials or supplies~~ of the City.

2.34.250 ~~Standardization of equipment and materials.~~ [Repeal]

~~The Purchasing Agent shall have power to standardize equipment, materials or supplies used by the different departments, and shall also have authority to institute or order investigations or experiments to determine the comparative value or efficiency of any product, or commodity whenever it would seem that a possible saving might accrue to the City by the adoption or purchase of such product, or commodity.~~

2.34.260 Inspection of materials purchased.

All ~~equipment, materials or supplies and services~~ purchased ~~procured~~, except emergency purchases ~~procurements~~, shall be inspected by or under the supervision of the Purchasing Agent.

2.34.270 Estimate of future needs.

~~As and when the Purchasing Agent may direct, Every department, commission or board shall make an annual inventory as and when the Purchasing Agent may direct of the personal property under its charge, and between May 1st and June 1st of each year it shall forward to the Purchasing Agent an estimate of the equipment, material or supplies it will need during the ensuing year.~~

2.34.280 Emergency purchases.

In case of emergency, a department head or official may directly purchase such ~~equipment, material or supplies and services~~ as may be needed, but before any liability shall accrue to the City, approval of the purchase shall be given by the City Manager.

2.112.010 Bonds required when.

Any contract exceeding ~~tweten~~ thousand dollars for any work to be done for the City, may be required to be accompanied by a bond with sureties satisfactory to the ~~board or official having the matter in charge~~ Purchasing Agent, or by a deposit of money, certified check or other security for the faithful performance thereof ~~approved by the Purchasing Agent~~. No proposal shall be accepted from or offered to any person who has breached a contract with the City during the three years preceding. All written contracts shall be executed in quadruplicate, and one of the copies shall be deposited with the Auditor.

2.112.020 Proposals and bids--Acceptance and award procedure.

No proposal or bid shall be received from any person offering to contract for ~~work~~ supplies or services unless it is enclosed in a sealed envelope or wrapper. Such proposal or bid shall be at once placed in a sealed box in the Purchasing Department. All

proposals and bids shall be publicly opened, and read and recorded in City Hall, at the hour and place designated in the advertisement, in the presence of the City Manager Purchasing Agent or such person as he may designate, and thereafter recorded. Such proposals shall be publicly opened, whenever so ordered by the City Manager. The contract shall be awarded to the lowest bidder complying with the terms, subject to the other provisions of this chapter; provided, however, that if any such proposals or bids shall be offered by persons who in the judgment of the board or officer issuing the advertisement shall be incompetent in respect to their means of faithfully executing the same, such proposals or bids may be rejected, notwithstanding the same to be at a lower rate than other proposals or bids offered for the same work, and the next highest lowest bidder shall be substituted, provided further, that if the second lowest bidder shall be a person having his place of business in the City and if such bid in the case of contracts of five hundred dollars or over but not exceeding one thousand dollars shall not be more than five percent above the lowest bidder and in case of contracts from one thousand dollars to three thousand dollars not more than four percent above the lowest bidder and in contracts over three thousand dollars but not more than ten thousand dollars not more than three percent above the lowest bidder, such board or officer shall have the discretion to award such contract to such second lowest bidder, and provided also, in all cases, that the board or officer may reject all bids and issue new advertisements. All proposals and bids shall be preserved by the Purchasing Department and shall be open to public inspection after the contract has been awarded, and accepted by the bidder.

2.112.030 Contracts--Form.

In all cases where the amount of any contract shall exceed the sum of ~~two~~ five thousand dollars, the contract shall be in writing, and, after being signed by the parties, shall not be altered, in any particular way, without the consent of the contractor and of the board or officer making the contract, endorsed thereon. And ~~a~~All payments for extra work services or supplies, which extra services or supplies shall be approved in advance by the department head, the Purchasing Agent and the City Auditor, shall be made at the time of the final payment on such contract.

Chapters 2.34 and 2.112 of Title 2 of the Cambridge Municipal Code are hereby amended as follows:

2.34.090 Purchasing agent for city-Exceptions.

The Purchasing Agent shall ~~purchase all equipment, materials and procure all supplies or services~~ for the City or any department thereof, ~~except in case of emergency and may delegate such power and duty pursuant to G.L. c. 30E.~~

2.34.100 Requisition procedures.

Any department head or official of the City in need of ~~equipment, materials or supplies or services~~ shall make requisition for the same of the Purchasing Agent upon requisition blanks devised and supplied by the Purchasing Agent.

2.34.110 Delivery or receipt of supplies-Billing. [Repeal]

~~When equipment, materials or supplies are delivered by the Purchasing Agent to any department or official that ordered them, a receipt shall be given to the Purchasing Agent, and the bill from the Purchasing Agent shall be transmitted to the Auditor by the department or official.~~

2.34.120 Purchases in advance of requisitions.

The Purchasing Agent shall have authority to ~~purchase~~ ~~procure~~ in advance of requisition such ~~equipment, materials or supplies or services~~ as may be needed by the City and its departments, and which upon requisition shall be furnished to the Purchasing Agent by the various departments.

2.34.130 Storage lease agreements.

The Purchasing Agent, with the approval of the City Manager, shall have authority to lease premises necessary for storing such ~~goods~~ ~~supplies~~ as he may ~~purchase~~ ~~procure~~.

2.34.140 ~~Director of Finance~~ City Auditor approval required.

No liability shall be incurred upon ~~purchase~~ ~~procurements~~ of ~~supplies or services~~ made by the Purchasing Agent until they shall have been approved by the ~~Director of Finance~~ City Auditor.

2.34.150 Competitive contracts.

All ~~purchase~~ ~~or~~ ~~contracts~~ ~~for~~ ~~purchase~~ ~~procurements~~ for ~~supplies or services~~ exceeding ~~two hundred fiftyone thousand~~ dollars shall be based upon competition, and all ~~purchase~~ ~~or~~ ~~contracts~~ ~~for~~ ~~purchase~~ ~~of~~ ~~four~~ ~~procurements~~ for ~~supplies or services~~ of ~~ten thousand~~ dollars or over shall be made in the manner provided by Chapter 2.110~~2~~ of this title.

2.34.160 Purchases made for City only.

The Purchasing Agent shall ~~purchase~~^{procure} only such ~~equipment, materials or supplies and services~~ as are to be used in the business of the City.

2.34.170 Purchase Department Reserve Fund

An appropriation shall be made to the Purchasing Department to be known as the Purchasing Department Reserve Funds, to which all purchases of ~~equipment, materials or supplies~~, not made upon specific requisitions, shall be charged and to which all payments by departments and officials for such ~~equipment, materials or supplies~~ shall be credited.

2.34.180 Report of purchases made to Director of Finance. [Repeal]

~~The Purchasing Agent shall within a reasonable time after the end of each month report to the Director of Finance the purchases made by him during the month preceding and also equipment, materials or supplies or services furnished by him to each department or official.~~

2.34.190 Recordkeeping of charges.

The Purchasing Agent shall keep a record of the ~~prices paid for equipment, materials or cost of supplies, and services~~ which shall be open at all reasonable times for public inspection.

2.34.210 Sale of surplus property--~~Public auction.~~

All sales of ~~surplus~~ personal property made by the Purchasing Agent, where the value ~~exceeds one~~^{is less than five} hundred dollars, shall be made in public, by ~~auctioning or otherwise, and, if by auction, advertisements of the time and place of such auction shall be made in newspaper published in the City at least one week in advance and such property shall be sold to the highest bidder, unless in the opinion of the Purchasing Agent such bid is less than the value of the property pursuant to sound business practice.~~

2.34.230 Sale of surplus property--Expenses.

All expenses incurred by the Purchasing Agent in conducting any sale of the personal property of the City shall be approved by the ~~Director of Finance~~^{City Auditor} before payment.

2.34.240 Right of inspection of City property.

The Purchasing Agent shall at such times as he may deem reasonable inspect the ~~equipment, materials or supplies~~ of the City.

2.34.250 ~~Standardization of equipment and materials.~~ [Repeal]

~~The Purchasing Agent shall have power to standardize equipment, materials or supplies used by the different departments, and shall also have authority to institute or order investigations or experiments to determine the comparative value or efficiency of any product, or commodity whenever it would seem that a possible saving might accrue to the City by the adoption or purchase of such product, or commodity.~~

2.34.260 Inspection of materials purchased.

All ~~equipment, materials or supplies and services~~ purchased ~~procured~~, except emergency purchases ~~procurements~~, shall be inspected by or under the supervision of the Purchasing Agent.

2.34.270 Estimate of future needs.

~~As and when the Purchasing Agent may direct, Every~~ department, commission or board shall make an annual inventory ~~as and when the Purchasing Agent may direct~~ of the personal property under its charge, and ~~between May 1st and June 1st of each year it~~ shall forward to the Purchasing Agent an estimate of the ~~equipment, material or~~ supplies it will need during the ensuing year.

2.34.280 Emergency purchases.

In case of emergency, a department head or official may directly purchase such ~~equipment, material or~~ supplies ~~and services~~ as may be needed, but before any liability shall accrue to the City, approval of the purchase shall be given by the City Manager.

2.112.010 Bonds required when.

Any contract exceeding ~~twoten~~ thousand dollars for any work to be done for the City, may be required to be accompanied by a bond with sureties satisfactory to the ~~board or official having the matter in charge~~ Purchasing Agent, or by a deposit of money, certified check or other security for the faithful performance thereof ~~approved by the Purchasing Agent~~. No proposal shall be accepted from or offered to any person who has breached a contract with the City during the three years preceding. All written contracts shall be executed in quadruplicate, and one of the copies shall be deposited with the Auditor.

2.112.020 Proposals and bids--Acceptance and award procedure.

No proposal or ~~bid~~ shall be received from any person offering to contract for ~~work~~ supplies or services unless it is enclosed in a sealed envelope or wrapper. Such proposal or ~~bid~~ shall be at once placed in a sealed box in the Purchasing Department. All

proposals and bids shall be publicly opened, and read and recorded in City Hall, at the hour and place designated in the advertisement, in the presence of the City Manager Purchasing Agent or such person as he may designate, and thereafter recorded. Such proposals shall be publicly opened, whenever so ordered by the City Manager. The contract shall be awarded to the lowest bidder complying with the terms, subject to the other provisions of this chapter; provided, however, that if any such proposals or bids shall be offered by persons who in the judgment of the board or officer issuing the advertisement shall be incompetent in respect to their means of faithfully executing the same, such proposals or bids may be rejected, notwithstanding the same to be at a lower rate than other proposals or bids offered for the same work, and the next highest lowest bidder shall be substituted, provided further, that if the second lowest bidder shall be a person having his place of business in the City and if such bid in the case of contracts of five hundred dollars or over but not exceeding one thousand dollars shall not be more than five percent above the lowest bidder and in case of contracts from one thousand dollars to three thousand dollars not more than four percent above the lowest bidder and in contracts over three thousand dollars but not more than ten thousand dollars not more than three percent above the lowest bidder, such board or officer shall have the discretion to award such contract to such second lowest bidder, and provided also, in all cases, that the board or officer may reject all bids and issue new advertisements. All proposals and bids shall be preserved by the Purchasing Department and shall be open to public inspection after the contract has been awarded, and accepted by the bidder.

2.112.030 Contracts--Form.

In all cases where the amount of any contract shall exceed the sum of ~~two~~ five thousand dollars, the contract shall be in writing, and after being signed by the parties, shall not be altered, in any particular way, without the consent of the contractor and of the board or officer making the contract, endorsed thereon. And all payments for extra workservices or supplies, which extra services or supplies shall be approved in advance by the department head, the Purchasing Agent and the City Auditor, shall be made at the time of the final payment on such contract.



CITY OF CAMBRIDGE

Russell B. Higley
City Solicitor

Donald A. Drisdell
Deputy City Solicitor

Michael C. Costello
Assistant City Solicitor

Office of the City Solicitor
City Hall
795 Massachusetts Avenue
Cambridge, Massachusetts 02139

(617) 498-9020

Birge Albright
Legal Counsel

Gail S. Gabriel
Legal Counsel

Joseph M. Kaigler
Legal Counsel

Diane Wynshaw-Boris
Legal Counsel

July 13, 1990

Robert W. Healy, City Manager
City of Cambridge
795 Massachusetts Avenue
Cambridge, MA 02139

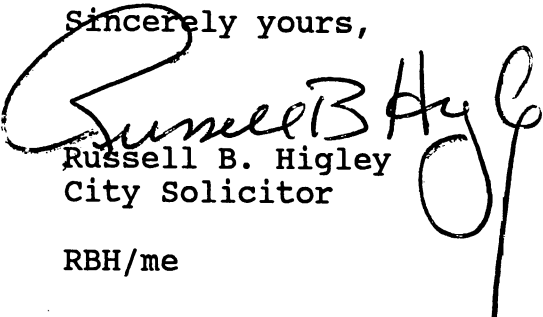
RE: Municipal Code Amendments - Chapters 2.34 and 2.112

Dear Mr. Healy,

I am recommending that the attached amendments be presented to City Council for its approval. The changes are made in an effort to conform to the new M.G.L. c.30B which governs procurement of supplies and services. For your convenience, I have enclosed a red-lined version of the ordinances.

Should you have any questions, please call me.

Sincerely yours,


Russell B. Higley
City Solicitor

RBH/me

Encl.: as stated

6.



CITY OF CAMBRIDGE

CAMBRIDGE, MASSACHUSETTS 02139

TEL. 498-9011

FAX. 868-8159

EXECUTIVE DEPARTMENT
ROBERT W. HEALY
City Manager

RICHARD C. ROSSI
Deputy City Manager

June 30, 1990

To The Honorable, The City Council:

Attached, please find a communication from Russell B. Higley, City Solicitor, recommending the attached amendments to the City Code to enable it to conform to the new M.G.L. c.30B, which governs procurement of supplies and services. It is my recommendation that this be referred to the City Council Committee on Ordinances.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Robert W. Healy", written over a horizontal line.

Robert W. Healy
City Manager

RWH/mev
enclosure

Agenda # 6

Amendments to the Municipal Code
to conform to the new M.G.L. Chapter
30B which governs procurement of
supplies and services.

In City Council,

July 30, 1990

*Referred to the
Ordinance Committee
Copy sent to Committee
on Ordinances 8/2/90 de*

City of Cambridge

The Committee on Ordinances conducted a public hearing on Tuesday, October 16, 1990 beginning at 6:30 p.m. in the Sullivan Chamber, City Hall.

The purpose of this hearing was to review and take testimony on a proposed amendment to the Municipal Code relative to the Procurement of Supplies and Services.

Members present: Councillor Francis H. Duehay, Councillor William H. Walsh, Councillor Walter J. Sullivan, Mayor Alice K. Wolf, Councillor Timothy J. Toomey, Jr. and City Clerk Joseph E. Connarton.

Councillor Duehay, Chair of the above committee, opened the hearing and requested the Deputy City Manager and the Purchasing Agent to outline the proposed amendment to the committee.

Richard Rossi, Deputy City Manager, Barbara Duffy, Purchasing Agent and Diane Wynshaw-Boris, Legal Counsel provided a historical overview of the proposed amendment as it relates to compliance with Chapter 30B, Massachusetts General Laws.

Ms. Duffy, informed the committee that pursuant to the new statute all municipal services and supplies are now put out to bid in one form or another, that new RFP have been developed and are in place.

Mr. Rossi stated that the main point to be made is the city will in the long run save money because of the need for less advertising due to the increased dollar amount on which bids must be solicited.

Attorney Wynshaw-Boris outlined the proposed sections of the ordinance which were being amended, Section 2.34.090 et seq.

Mr. Rossi informed the committee that both he and the City Manager, the Purchasing Agent and the City Solicitor strongly recommend adoption of the ordinance.

City of Cambridge

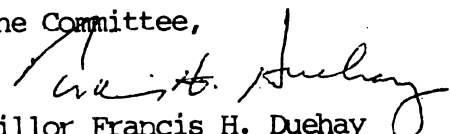
- 2 -

Councillor Sullivan moved to refer the proposed amendment to the full City Council with a favorable recommendation.

The motion carried.

The hearing adjourned at six o'clock and forty-three minutes p. m.

For the Committee,


Councillor Francis H. Duehay
Chairman

Committee on Ordinance

Present - Councilor Francis H. Juehas - Presiding

10/16/90

6:10 P.M.

- ① C. Walsh
- ② C. Sullivan
- ③ Mayor
- ④ C. Goomer 6:11 P.M.
- ⑤

Chief Scott

declined ordinance -
not a punishment, but
to be used as deterrent
for false alarms.

Other communities do this

affects schools, hotels
hospitals, etc. some
of which have problems.

C. Walsh

Quora response of different
engine companies.

550 false alarms for Harvard
and M.I.T. during past year.

Mayor

Ques. large # of alarms w/in
Central Square

Chief

Hoyette Sq. very busy
Some of it because of
street people, some of it
because of medical emergencies.

C. Sullivan

None to refer to full c/c
w/ favorable recommendations

By 6:21 P.M.

6:30 P.M. Procurement of Supplies

Richard Piersi
Barbara Duffy

all services are now going to
be bid w/ ads etc. RFP's
to be placed in Central Register.

Out bid \$ amount, bidding process etc.

R. Rossi

Main point is we can save in terms of \$ 10,000 or less bids. No advertising

Mayor

Rosier ~~exp~~ competitive activities. food

Diane Chubb

Responded re: \$10,000, bid, contract etc.

Service will be bid

"

Dollar limit will be increased w/ in municipal code, providing more flexibility for departments.

Practical changes as well:

R. Rossi

All depts and C.M.F. recommended in approval

P. Sullivan

Manual to refer to full
c/c w/ favorable recommendation

By 6:43 PM.

City of Cambridge

OCT 12 PM 3:09

CAMBRIDGE MA.

CITY COUNCIL HEARING SCHEDULE

- Monday, October 15, 1990
- 5:30 P. M. Regular City Council Meeting.
(Sullivan Chamber)
- 7:00 P. M. The City Council will conduct a public hearing regarding the implication for Cambridge if the petition sponsored by Citizens for Limited Taxation is passed.
(Sullivan Chamber).
- Tuesday, October 16, 1990
- The Ordinance Committee will conduct public hearings as follows:
- 6:00 P. M. A proposed amendment to the Municipal Code relative to Automatic Fire Alarm Systems - False Alarms.
- 6:30 P. M. A proposed amendment to the Municipal Code relative to the Procurement of Supplies and Services. (Sullivan Chamber)
- Wednesday, October 17, 1990
- 5:00 P. M. The Committee on Finance will conduct a public hearing for the purpose of discussing the pre-budget for fiscal year 1992. The departments that will be heard will be Emergency Management and the Library.
(Ackermann Room).
- Thursday, October 18, 1990
- 5:30 P. M. The Rent Control Committee will conduct a working meeting on the issue of protecting aging rental stock. (Sullivan Chamber)
- Friday, October, 19, 1990 2:00-4:00 P. M.
- The Housing and Community Development Committee will conduct a public hearing relative to discussion of the problems and solutions relating to the premises numbered 1-9 Hampshire Place, 2-8 Hampshire Place and 181-189 Hampshire Street. (Sullivan Chamber)



OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139

(617) 498-9017

JOSEPH E. CONNARTON
CITY CLERK

JOHN E. FLYNN
DEPUTY CITY CLERK

October 5, 1990

TO: RUSSELL B. HIGLEY
CITY SOLICITOR

FROM: JOSEPH E. CONNARTON *JEC*
CITY CLERK

SUBJECT: HEARING BEFORE THE ORDINANCE COMMITTEE - PROCUREMENT OF
SUPPLIES AND SERVICES.

Please be advised that Councillor Francis H. Duehay, Chairman of the Ordinance Committee, has scheduled a public hearing for Tuesday, October 16, 1990 at 6:30 p.m. in the Sullivan Chamber on the proposed amendment to the Municipal Code relative to the Procurement of Supplies and Services.

Councillor Duehay has requested that you attend this hearing.

Your kind attention in this matter will be greatly appreciated.



OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139

(617) 498-9017

JOSEPH E. CONNARTON
CITY CLERK

JOHN E. FLYNN
DEPUTY CITY CLERK

October 5, 1990

TO: ROBERT W. HEALY
CITY MANAGER

FROM: JOSEPH E. CONNARTON *JEC*
CITY CLERK

SUBJECT: HEARING BEFORE THE ORDINANCE COMMITTEE - PROCUREMENT OF
SUPPLIES AND SERVICES.

Please be advised that Councillor Francis H. Duehay, Chairman of the Ordinance Committee, has scheduled a public hearing for Tuesday, October 16, 1990 at 6:30 p.m. in the Sullivan Chamber on the proposed amendment to the Municipal Code relative to the Procurement of Supplies and Services.

Councillor Duehay has requested that you attend this hearing.

Your kind attention in this matter will be greatly appreciated.



OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139

(617) 498-9017

JOSEPH E. CONNARTON
CITY CLERK

JOHN E. FLYNN
DEPUTY CITY CLERK

October 5, 1990

TO: JAMES CONROY
EXECUTIVE DIRECTOR OF MANAGEMENT SERVICES
SCHOOL DEPARTMENT

FROM: JOSEPH E. CONNARTON *JEC*
CITY CLERK

SUBJECT: HEARING BEFORE THE ORDINANCE COMMITTEE - PROCUREMENT OF
SUPPLIES AND SERVICES.

Please be advised that Councillor Francis H. Duehay, Chairman of the Ordinance Committee, has scheduled a public hearing for Tuesday, October 16, 1990 at 6:30 p.m. in the Sullivan Chamber on the proposed amendment to the Municipal Code relative to the Procurement of Supplies and Services.

Councillor Duehay has requested that you attend this hearing.

Your kind attention in this matter will be greatly appreciated.



OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139

(617) 498-9017

JOSEPH E. CONNARTON
CITY CLERK

JOHN E. FLYNN
DEPUTY CITY CLERK

October 5, 1990

TO: BARBARA DUFFY
PURCHASING DEPARTMENT

FROM: JOSEPH E. CONNARTON *JEC*
CITY CLERK

SUBJECT: HEARING BEFORE THE ORDINANCE COMMITTEE - PROCUREMENT OF
SUPPLIES AND SERVICES.

Please be advised that Councillor Francis H. Duehay, Chairman of the Ordinance Committee, has scheduled a public hearing for Tuesday, October 16, 1990 at 6:30 p.m. in the Sullivan Chamber on the proposed amendment to the Municipal Code relative to the Procurement of Supplies and Services.

Councillor Duehay has requested that you attend this hearing.

Your kind attention in this matter will be greatly appreciated.



CITY OF CAMBRIDGE
CAMBRIDGE, MASSACHUSETTS 02139
TEL. 498-9011
FAX. 868-8159

EXECUTIVE DEPARTMENT
ROBERT W. HEALY
City Manager

RICHARD C. ROSSI
Deputy City Manager

June 30, 1990

To The Honorable, The City Council:

Attached, please find a communication from Russell B. Higley, City Solicitor, recommending the attached amendments to the City Code to enable it to conform to the new M.G.L. c.30B, which governs procurement of supplies and services. It is my recommendation that this be referred to the City Council Committee on Ordinances.

Very truly yours,

Robert W. Healy
City Manager

RWH/mev
enclosure



CITY OF CAMBRIDGE

Russell B. Higley
City Solicitor

Donald A. Drisdell
Deputy City Solicitor

Michael C. Costello
Assistant City Solicitor

Office of the City Solicitor
City Hall
795 Massachusetts Avenue
Cambridge, Massachusetts 02139

(617) 498-9020

Birge Albright
Legal Counsel

Gail S. Gabriel
Legal Counsel

Joseph M. Kaigler
Legal Counsel

Diane Wynshaw-Boris
Legal Counsel

July 13, 1990

Robert W. Healy, City Manager
City of Cambridge
795 Massachusetts Avenue
Cambridge, MA 02139

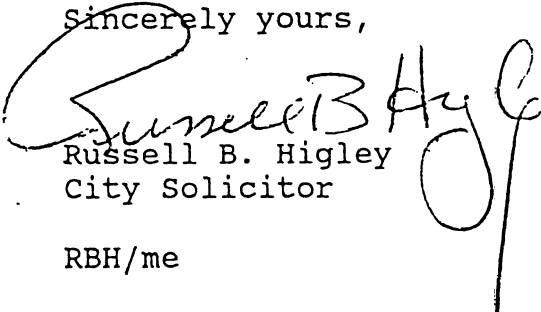
RE: Municipal Code Amendments - Chapters 2.34 and 2.112

Dear Mr. Healy,

I am recommending that the attached amendments be presented to City Council for its approval. The changes are made in an effort to conform to the new M.G.L. c.30B which governs procurement of supplies and services. For your convenience, I have enclosed a red-lined version of the ordinances.

Should you have any questions, please call me.

Sincerely yours,


Russell B. Higley
City Solicitor

RBH/me

Encl.: as stated



City of Cambridge

In the Year One Thousand, Nine Hundred ninety

AN ORDINANCE

Be it ordained by the City Council of the City of Cambridge as follows:

Chapters 2.34 and 2.112 of Title 2 of the Cambridge Municipal Code are hereby amended as follows:

2.34.090 Purchasing agent for city-Exceptions.

The Purchasing Agent shall procure all supplies or services for the City or any department thereof and may delegate such power and duty pursuant to G.L. c. 30B.

2.34.100 Requisition procedures.

Any department head or official of the City in need of supplies or services shall make requisition for the same of the Purchasing Agent upon requisition blanks devised and supplied by the Purchasing Agent.

2.34.110 Delivery or receipt of supplies-Billing. [Repeal]

2.34.120 Purchases in advance of requisitions.

The Purchasing Agent shall have authority to procure in advance of requisition such supplies or services as may be needed by the City and its departments, and which requisition shall be furnished to the Purchasing Agent by the various departments.

2.34.130 Storage lease agreements.

The Purchasing Agent, with the approval of the City Manager, shall have authority to lease premises necessary for storing such supplies as he may procure.

2.34.140 City Auditor approval required.

No liability shall be incurred upon procurements of supplies or services made by the Purchasing Agent until they shall have been approved by the City Auditor.

2.34.150 Competitive contracts.

All procurements for supplies or services exceeding one thousand dollars shall be based upon competition, and all procurements for supplies or services of ten thousand dollars or over shall be made in the manner provided by Chapter 2.112 of this title.

2.34.160 Purchases made for City only.

The Purchasing Agent shall procure only such supplies and services as are to be used in the business of the City.

2.34.170 Purchase Department Reserve Fund

An appropriation shall be made to the Purchasing Department to be known as the Purchasing Department Reserve Funds, to which all purchases of supplies, not made upon specific requisitions, shall be charged and to which all payments by departments and officials for such supplies shall be credited.

2.34.180 Report of purchases made to Director of Finance. [Repeal]**2.34.190 Recordkeeping of charges.**

The Purchasing Agent shall keep a record of the cost of supplies and services which shall be open at all reasonable times for public inspection.

2.34.210 Sale of surplus property.

All sales of surplus personal property made by the Purchasing Agent, where the value is less than five hundred dollars, shall be made pursuant to sound business practice.

2.34.230 Sale of surplus property--Expenses.

All expenses incurred by the Purchasing Agent in conducting any sale of the personal property of the City shall be approved by the City Auditor before payment.

2.34.240 Right of inspection of City property.

The Purchasing Agent shall at such times as he may deem

reasonable inspect the supplies of the City.

2.34.250 [Repeal]

2.34.260 Inspection of materials purchased.

All supplies and services procured, except emergency procurements, shall be inspected by or under the supervision of the Purchasing Agent.

2.34.270 Estimate of future needs.

As and when the Purchasing Agent may direct, every department, commission or board shall make an annual inventory of the personal property under its charge, and shall forward to the Purchasing Agent an estimate of the supplies it will need during the ensuing year.

2.34.280 Emergency purchases.

In case of emergency, a department head or official may directly purchase such supplies and services as may be needed, but before any liability shall accrue to the City, approval of the purchase shall be given by the City Manager.

2.112.010 Bonds required when.

Any contract exceeding ten thousand dollars for any work to be done for the City may be required to be accompanied by a bond with sureties satisfactory to the Purchasing Agent, by a deposit of certified check or other security for the faithful performance thereof approved by the Purchasing Agent. No proposal shall be accepted from or offered to any person who has breached a contract with the City during the three years preceding. All written contracts shall be executed in quadruplicate, and one of the copies shall be deposited with the Auditor.

2.112.020 Proposals and bids--Acceptance and award procedure.

No proposal or bid shall be received from any person offering to contract for supplies or services unless it is enclosed in a sealed envelope or wrapper. Such proposal or bid shall be at once placed in a sealed box in the Purchasing Department. All proposals and bids shall be publicly opened and read at the hour and place designated in the advertisement in the presence of the Purchasing Agent or such person as he may designate, and thereafter recorded.

The contract shall be awarded to the lowest bidder complying with the terms, subject to the other provisions of this chapter; provided, however, that if any such proposals or bids shall be

offered by persons who in the judgment of the board or officer issuing the advertisement shall be incompetent in respect to their means of faithfully executing the same, such proposals or bids may be rejected, notwithstanding the same to be at a lower rate than other proposals or bids offered for the same work, and the next lowest bidder shall be substituted. All proposals and bids shall be preserved by the Purchasing Department and shall be open to public inspection after the contract has been awarded and accepted by the bidder.

2.112.030 Contracts--Form.

In all cases where the amount of any contract shall exceed the sum of five thousand dollars, the contract shall be in writing and, after being signed by the parties, shall not be altered, in any particular way, without the consent of the contractor and of the board or officer making the contract, endorsed thereon. All payments for extra services or supplies, which extra services or supplies shall be approved in advance by the department head, the Purchasing Agent and the City Auditor, shall be made at the time of the final payment on such contract.

Chapters 2.34 and 2.112 of Title 2 of the Cambridge Municipal Code are hereby amended as follows:

2.34.090 Purchasing agent for city-Exceptions.

The Purchasing Agent shall ~~purchase all equipment, materials and procure all supplies or services~~ for the City or any department thereof, ~~except in case of emergency and may delegate such power and duty pursuant to G.L. c. 30B.~~

2.34.100 Requisition procedures.

Any department head or official of the City in need of ~~equipment, materials or supplies or services~~ shall make requisition for the same of the Purchasing Agent upon requisition blanks devised and supplied by the Purchasing Agent.

2.34.110 Delivery or receipt of supplies-Billing. [Repeal]

~~When equipment, materials or supplies are delivered by the Purchasing Agent to any department or official that ordered them, a receipt shall be given to the Purchasing Agent, and the bill from the Purchasing Agent shall be transmitted to the Auditor by the department or official.~~

2.34.120 Purchases in advance of requisitions.

The Purchasing Agent shall have authority to ~~purchase~~ procure in advance of requisition such ~~equipment, materials or supplies or services~~ as may be needed by the City and its departments, and which upon requisition shall be furnished to the Purchasing Agent by the various departments.

2.34.130 Storage lease agreements.

The Purchasing Agent, with the approval of the City Manager, shall have authority to lease premises necessary for storing such ~~goods~~ supplies as he may ~~purchase~~ procure.

2.34.140 ~~Director of Finance~~ City Auditor approval required.

No liability shall be incurred upon ~~purchases~~ procurements of ~~supplies or services~~ made by the Purchasing Agent until they shall have been approved by the ~~Director of Finance~~ City Auditor.

2.34.150 Competitive contracts.

All ~~purchases or contracts for purchases~~ procurements for ~~supplies or services~~ exceeding two hundred fiftyone thousand dollars shall be based upon competition, and all ~~purchases or contracts for purchases of four~~ procurements for ~~supplies or services~~ of ten thousand dollars or over shall be made in the manner provided by Chapter 2.1102 of this title.

2.34.160 Purchases made for City only.

The Purchasing Agent shall ~~purchase~~procure only such ~~equipment, materials or supplies~~ and ~~services~~ as are to be used in the business of the City.

2.34.170 Purchase Department Reserve Fund

An appropriation shall be made to the Purchasing Department to be known as the Purchasing Department Reserve Funds, to which all purchases of ~~equipment, materials or~~ supplies, not made upon specific requisitions, shall be charged and to which all payments by departments and officials for such ~~equipment, materials or~~ supplies shall be credited.

2.34.180 Report of purchases made to Director of Finance. [Repeal]

~~The Purchasing Agent shall within a reasonable time after the end of each month report to the Director of Finance the purchases made by him during the month preceding and also equipment, materials or supplies or services furnished by him to each department or official.~~

2.34.190 Recordkeeping of charges.

The Purchasing Agent shall keep a record of the ~~prices paid for equipment, materials or~~cost of ~~supplies, and services~~ which shall be open at all reasonable times for public inspection.

2.34.210 Sale of surplus property--~~Public auction.~~

All sales of ~~surplus~~ personal property made by the Purchasing Agent, where the value ~~exceeds one~~is less than five hundred dollars, shall be made in public, by auctioning or otherwise, and, if by auction, advertisements of the time and place of such auction shall be made in newspaper published in the City at least one week in advance and such property shall be sold to the highest bidder, unless in the opinion of the Purchasing Agent such bid is less than the value of the property~~pursuant to sound business practice.~~

2.34.230 Sale of surplus property--Expenses.

All expenses incurred by the Purchasing Agent in conducting any sale of the personal property of the City shall be approved by the ~~Director of Finance~~City Auditor before payment.

2.34.240 Right of inspection of City property.

The Purchasing Agent shall at such times as he may deem reasonable inspect the ~~equipment, materials or~~ supplies of the City.

2.34.250 ~~Standardization of equipment and materials.~~ [Repeal]

~~The Purchasing Agent shall have power to standardize equipment, materials or supplies used by the different departments, and shall also have authority to institute or order investigations or experiments to determine the comparative value or efficiency of any product, or commodity whenever it would seem that a possible saving might accrue to the City by the adoption or purchase of such product, or commodity.~~

2.34.260 Inspection of materials purchased.

All equipment, materials or supplies and services purchased procured, except emergency purchases procurements, shall be inspected by or under the supervision of the Purchasing Agent.

2.34.270 Estimate of future needs.

As and when the Purchasing Agent may direct, Every department, commission or board shall make an annual inventory as and when the Purchasing Agent may direct of the personal property under its charge, and between May 1st and June 1st of each year it shall forward to the Purchasing Agent an estimate of the equipment, material or supplies it will need during the ensuing year.

2.34.280 Emergency purchases.

In case of emergency, a department head or official may directly purchase such equipment, material or supplies and services as may be needed, but before any liability shall accrue to the City, approval of the purchase shall be given by the City Manager.

2.112.010 Bonds required when.

Any contract exceeding ~~tweten~~ twenty thousand dollars for any work to be done for the City, may be required to be accompanied by a bond with sureties satisfactory to the board or official having the matter in charge Purchasing Agent, or by a deposit of money, certified check or other security for the faithful performance thereof approved by the Purchasing Agent. No proposal shall be accepted from or offered to any person who has breached a contract with the City during the three years preceding. All written contracts shall be executed in quadruplicate, and one of the copies shall be deposited with the Auditor.

2.112.020 Proposals and bids--Acceptance and award procedure.

No proposal or bid shall be received from any person offering to contract for work supplies or services unless it is enclosed in a sealed envelope or wrapper. Such proposal or bid shall be at once placed in a sealed box in the Purchasing Department. All

proposals and bids shall be publicly opened, and read and recorded in City Hall, at the hour and place designated in the advertisement, in the presence of the City Manager Purchasing Agent or such person as he may designate, and thereafter recorded. Such proposals shall be publicly opened, whenever so ordered by the City Manager. The contract shall be awarded to the lowest bidder complying with the terms, subject to the other provisions of this chapter; provided, however, that if any such proposals or bids shall be offered by persons who in the judgment of the board or officer issuing the advertisement shall be incompetent in respect to their means of faithfully executing the same, such proposals or bids may be rejected, notwithstanding the same to be at a lower rate than other proposals or bids offered for the same work, and the next highest lowest bidder shall be substituted, provided further, that if the second lowest bidder shall be a person having his place of business in the City and if such bid in the case of contracts of five hundred dollars or over but not exceeding one thousand dollars shall not be more than five percent above the lowest bidder and in case of contracts from one thousand dollars to three thousand dollars not more than four percent above the lowest bidder and in contracts over three thousand dollars but not more than ten thousand dollars not more than three percent above the lowest bidder, such board or officer shall have the discretion to award such contract to such second lowest bidder, and provided also, in all cases, that the board or officer may reject all bids and issue new advertisements. All proposals and bids shall be preserved by the Purchasing Department and shall be open to public inspection after the contract has been awarded, and accepted by the bidder.

2.112.030 Contracts--Form.

In all cases where the amount of any contract shall exceed the sum of ~~two~~ five thousand dollars, the contract shall be in writing, and, after being signed by the parties, shall not be altered, in any particular way, without the consent of the contractor and of the board or officer making the contract, endorsed thereon. And ~~a~~All payments for extra work services or supplies, which extra services or supplies shall be approved in advance by the department head, the Purchasing Agent and the City Auditor, shall be made at the time of the final payment on such contract.



CITY OF CAMBRIDGE
CAMBRIDGE, MASSACHUSETTS 02139
TEL. 498-9011
FAX. 868-8159

EXECUTIVE DEPARTMENT
ROBERT W. HEALY
City Manager

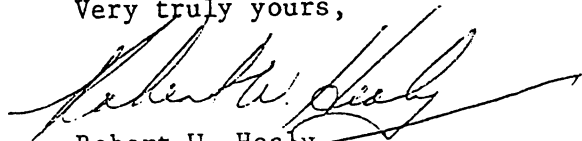
RICHARD C. ROSSI
Deputy City Manager

June 30, 1990

To The Honorable, The City Council:

Attached, please find a communication from Russell B. Higley, City Solicitor, recommending the attached amendments to the City Code to enable it to conform to the new M.G.L. c.30B, which governs procurement of supplies and services. It is my recommendation that this be referred to the City Council Committee on Ordinances.

Very truly yours,



Robert W. Healy
City Manager

RWH/mev
enclosure



CITY OF CAMBRIDGE

Office of the City Solicitor
City Hall

795 Massachusetts Avenue
Cambridge, Massachusetts 02139

(617) 498-9020

Russell B. Higley
City Solicitor

Donald A. Drisdell
Deputy City Solicitor

Michael C. Costello
Assistant City Solicitor

Birge Albright
Legal Counsel

Gail S. Gabriel
Legal Counsel

Joseph M. Kaigler
Legal Counsel

Diane Wynshaw-Boris
Legal Counsel

July 13, 1990

Robert W. Healy, City Manager
City of Cambridge
795 Massachusetts Avenue
Cambridge, MA 02139

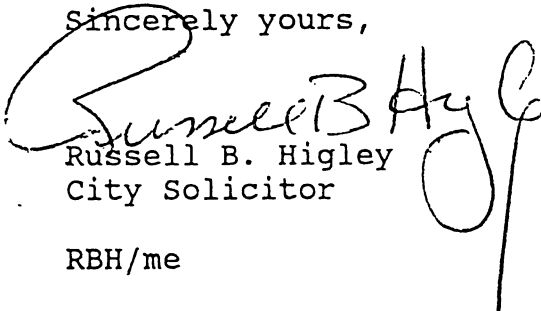
RE: Municipal Code Amendments - Chapters 2.34 and 2.112

Dear Mr. Healy,

I am recommending that the attached amendments be presented to City Council for its approval. The changes are made in an effort to conform to the new M.G.L. c.30B which governs procurement of supplies and services. For your convenience, I have enclosed a red-lined version of the ordinances.

Should you have any questions, please call me.

Sincerely yours,


Russell B. Higley
City Solicitor

RBH/me

Encl.: as stated



City of Cambridge

In the Year One Thousand, Nine Hundred ninety

AN ORDINANCE

Be it ordained by the City Council of the City of Cambridge as follows:

Chapters 2.34 and 2.112 of Title 2 of the Cambridge Municipal Code are hereby amended as follows:

2.34.090 Purchasing agent for city-Exceptions.

The Purchasing Agent shall procure all supplies or services for the City or any department thereof and may delegate such power and duty pursuant to G.L. c. 30B.

2.34.100 Requisition procedures.

Any department head or official of the City in need of supplies or services shall make requisition for the same of the Purchasing Agent upon requisition blanks devised and supplied by the Purchasing Agent.

2.34.110 Delivery or receipt of supplies-Billing. [Repeal]

2.34.120 Purchases in advance of requisitions.

The Purchasing Agent shall have authority to procure in advance of requisition such supplies or services as may be needed by the City and its departments, and which requisition shall be furnished to the Purchasing Agent by the various departments.

2.34.130 Storage lease agreements.

The Purchasing Agent, with the approval of the City Manager, shall have authority to lease premises necessary for storing such supplies as he may procure.

2.34.140 City Auditor approval required.

No liability shall be incurred upon procurements of supplies or services made by the Purchasing Agent until they shall have been approved by the City Auditor.

2.34.150 Competitive contracts.

All procurements for supplies or services exceeding one thousand dollars shall be based upon competition, and all procurements for supplies or services of ten thousand dollars or over shall be made in the manner provided by Chapter 2.112 of this title.

2.34.160 Purchases made for City only.

The Purchasing Agent shall procure only such supplies and services as are to be used in the business of the City.

2.34.170 Purchase Department Reserve Fund

An appropriation shall be made to the Purchasing Department to be known as the Purchasing Department Reserve Funds, to which all purchases of supplies, not made upon specific requisitions, shall be charged and to which all payments by departments and officials for such supplies shall be credited.

2.34.180 Report of purchases made to Director of Finance. [Repeal]**2.34.190 Recordkeeping of charges.**

The Purchasing Agent shall keep a record of the cost of supplies and services which shall be open at all reasonable times for public inspection.

2.34.210 Sale of surplus property.

All sales of surplus personal property made by the Purchasing Agent, where the value is less than five hundred dollars, shall be made pursuant to sound business practice.

2.34.230 Sale of surplus property--Expenses.

All expenses incurred by the Purchasing Agent in conducting any sale of the personal property of the City shall be approved by the City Auditor before payment.

2.34.240 Right of inspection of City property.

The Purchasing Agent shall at such times as he may deem

reasonable inspect the supplies of the City.

2.34.250 [Repeal]

2.34.260 Inspection of materials purchased.

All supplies and services procured, except emergency procurements, shall be inspected by or under the supervision of the Purchasing Agent.

2.34.270 Estimate of future needs.

As and when the Purchasing Agent may direct, every department, commission or board shall make an annual inventory of the personal property under its charge, and shall forward to the Purchasing Agent an estimate of the supplies it will need during the ensuing year.

2.34.280 Emergency purchases.

In case of emergency, a department head or official may directly purchase such supplies and services as may be needed, but before any liability shall accrue to the City, approval of the purchase shall be given by the City Manager.

2.112.010 Bonds required when.

Any contract exceeding ten thousand dollars for any work to be done for the City may be required to be accompanied by a bond with sureties satisfactory to the Purchasing Agent, by a deposit of certified check or other security for the faithful performance thereof approved by the Purchasing Agent. No proposal shall be accepted from or offered to any person who has breached a contract with the City during the three years preceding. All written contracts shall be executed in quadruplicate, and one of the copies shall be deposited with the Auditor.

2.112.020 Proposals and bids--Acceptance and award procedure.

No proposal or bid shall be received from any person offering to contract for supplies or services unless it is enclosed in a sealed envelope or wrapper. Such proposal or bid shall be at once placed in a sealed box in the Purchasing Department. All proposals and bids shall be publicly opened and read at the hour and place designated in the advertisement in the presence of the Purchasing Agent or such person as he may designate, and thereafter recorded.

The contract shall be awarded to the lowest bidder complying with the terms, subject to the other provisions of this chapter; provided, however, that if any such proposals or bids shall be

offered by persons who in the judgment of the board or officer issuing the advertisement shall be incompetent in respect to their means of faithfully executing the same, such proposals or bids may be rejected, notwithstanding the same to be at a lower rate than other proposals or bids offered for the same work, and the next lowest bidder shall be substituted. All proposals and bids shall be preserved by the Purchasing Department and shall be open to public inspection after the contract has been awarded and accepted by the bidder.

2.112.030 Contracts--Form.

In all cases where the amount of any contract shall exceed the sum of five thousand dollars, the contract shall be in writing and, after being signed by the parties, shall not be altered, in any particular way, without the consent of the contractor and of the board or officer making the contract, endorsed thereon. All payments for extra services or supplies, which extra services or supplies shall be approved in advance by the department head, the Purchasing Agent and the City Auditor, shall be made at the time of the final payment on such contract.

Chapters 2.34 and 2.112 of Title 2 of the Cambridge Municipal Code are hereby amended as follows:

2.34.090 Purchasing agent for city-Exceptions.

The Purchasing Agent shall ~~purchase all equipment, materials and procure all supplies or services~~ for the City or any department thereof, ~~except in case of emergency~~ and may delegate such power and duty pursuant to G.L. c. 30B.

2.34.100 Requisition procedures.

Any department head or official of the City in need of ~~equipment, materials or supplies or services~~ shall make requisition for the same of the Purchasing Agent upon requisition blanks devised and supplied by the Purchasing Agent.

2.34.110 Delivery or receipt of supplies-Billing. [Repeal]

~~When equipment, materials or supplies are delivered by the Purchasing Agent to any department or official that ordered them, a receipt shall be given to the Purchasing Agent, and the bill from the Purchasing Agent shall be transmitted to the Auditor by the department or official.~~

2.34.120 Purchases in advance of requisitions.

The Purchasing Agent shall have authority to ~~purchase procure~~ in advance of requisition such ~~equipment, materials or supplies or services~~ as may be needed by the City and its departments, and which ~~upon~~ requisition shall be furnished to the Purchasing Agent by the various departments.

2.34.130 Storage lease agreements.

The Purchasing Agent, with the approval of the City Manager, shall have authority to lease ~~premises necessary for storing such goods supplies~~ as he may ~~purchase procure~~.

2.34.140 ~~Director of Finance~~ City Auditor approval required.

No liability shall be incurred upon ~~purchase procurements of supplies or services~~ made by the Purchasing Agent until they shall have been approved by the ~~Director of Finance~~ City Auditor.

2.34.150 Competitive contracts.

All ~~purchase or contracts for purchase procurements for supplies or services~~ exceeding ~~two hundred fiftyone thousand~~ dollars shall be based upon competition, and all ~~purchase or contracts for purchase of four procurements for supplies or services of ten thousand~~ dollars or over shall be made in the manner provided by Chapter 2.110~~2~~ of this title.

2.34.160 Purchases made for City only.

The Purchasing Agent shall ~~purchase~~^{procure} only such ~~equipment, materials or supplies~~ and ~~services~~ as are to be used in the business of the City.

2.34.170 Purchase Department Reserve Fund

An appropriation shall be made to the Purchasing Department to be known as the Purchasing Department Reserve Funds, to which all purchases of ~~equipment, materials or supplies~~, not made upon specific requisitions, shall be charged and to which all payments by departments and officials for such ~~equipment, materials or supplies~~ shall be credited.

2.34.180 Report of purchases made to Director of Finance. [Repeal]

~~The Purchasing Agent shall within a reasonable time after the end of each month report to the Director of Finance the purchases made by him during the month preceding and also equipment, materials or supplies or services furnished by him to each department or official.~~

2.34.190 Recordkeeping of charges.

The Purchasing Agent shall keep a record of the ~~prices paid for equipment, materials or cost of supplies, and services~~ which shall be open at all reasonable times for public inspection.

2.34.210 Sale of surplus property--Public auction.

All sales of ~~surplus~~ personal property made by the Purchasing Agent, where the value ~~exceeds one's~~ less than ~~five~~ hundred dollars, shall be made in public, by auctioning or otherwise, and, if by auction, advertisements of the time and place of such auction shall be made in newspaper published in the City at least one week in advance and such property shall be sold to the highest bidder, unless in the opinion of the Purchasing Agent such bid is less than the value of the property ~~pursuant to sound business practice.~~

2.34.230 Sale of surplus property--Expenses.

All expenses incurred by the Purchasing Agent in conducting any sale of the personal property of the City shall be approved by the ~~Director of Finance~~ ~~City Auditor~~ before payment.

2.34.240 Right of inspection of City property.

The Purchasing Agent shall at such times as he may deem reasonable inspect the ~~equipment, materials or supplies~~ of the City.

2.34.250 ~~Standardization of equipment and materials.~~ [Repeal]

~~The Purchasing Agent shall have power to standardize equipment, materials or supplies used by the different departments, and shall also have authority to institute or order investigations or experiments to determine the comparative value or efficiency of any product, or commodity whenever it would seem that a possible saving might accrue to the City by the adoption or purchase of such product, or commodity.~~

2.34.260 Inspection of materials purchased.

All ~~equipment, materials or supplies and services~~ purchased ~~procured~~, except emergency ~~purchases~~ procurements, shall be inspected by or under the supervision of the Purchasing Agent.

2.34.270 Estimate of future needs.

~~As and when the Purchasing Agent may direct,~~ Every department, commission or board shall make an annual inventory as ~~and when the Purchasing Agent may direct~~ of the personal property under its charge, and ~~between May 1st and June 1st of each year~~ it shall forward to the Purchasing Agent an estimate of the ~~equipment, material or supplies~~ it will need during the ensuing year.

2.34.280 Emergency purchases.

In case of emergency, a department head or official may directly purchase such ~~equipment, material or supplies and services~~ as may be needed, but before any liability shall accrue to the City, approval of the purchase shall be given by the City Manager.

2.112.010 Bonds required when.

Any contract exceeding ~~tweten~~ twenty thousand dollars for any work to be done for the City, may be required to be accompanied by a bond with sureties satisfactory to the ~~board or official having the matter in charge~~ Purchasing Agent, or by a deposit of money, certified check or other security for the faithful performance thereof ~~approved by the Purchasing Agent~~. No proposal shall be accepted from or offered to any person who has breached a contract with the City during the three years preceding. All written contracts shall be executed in quadruplicate, and one of the copies shall be deposited with the Auditor.

2.112.020 Proposals and bids--Acceptance and award procedure.

No proposal or bid shall be received from any person offering to contract for ~~work~~ supplies or services unless it is enclosed in a sealed envelope or wrapper. Such proposal or bid shall be at once placed in a sealed box in the Purchasing Department. All

proposals and bids shall be publicly opened, and read and recorded in City Hall, at the hour and place designated in the advertisement, in the presence of the City Manager Purchasing Agent or such person as he may designate, and thereafter recorded. Such proposals shall be publicly opened, whenever so ordered by the City Manager. The contract shall be awarded to the lowest bidder complying with the terms, subject to the other provisions of this chapter; provided, however, that if any such proposals or bids shall be offered by persons who in the judgment of the board or officer issuing the advertisement shall be incompetent in respect to their means of faithfully executing the same, such proposals or bids may be rejected, notwithstanding the same to be at a lower rate than other proposals or bids offered for the same work, and the next highest lowest bidder shall be substituted; provided further, that if the second lowest bidder shall be a person having his place of business in the City and if such bid in the case of contracts of five hundred dollars or over but not exceeding one thousand dollars shall not be more than five percent above the lowest bidder and in case of contracts from one thousand dollars to three thousand dollars not more than four percent above the lowest bidder and in contracts over three thousand dollars but not more than ten thousand dollars not more than three percent above the lowest bidder, such board or officer shall have the discretion to award such contract to such second lowest bidder, and provided also, in all cases, that the board or officer may reject all bids and issue new advertisements. All proposals and bids shall be preserved by the Purchasing Department and shall be open to public inspection after the contract has been awarded, and accepted by the bidder.

2.112.030 Contracts--Form.

In all cases where the amount of any contract shall exceed the sum of ~~two~~ five thousand dollars, the contract shall be in writing, and, after being signed by the parties, shall not be altered, in any particular way, without the consent of the contractor and of the board or officer making the contract, endorsed thereon. And ~~a~~All payments for extra work services or supplies, which extra services or supplies shall be approved in advance by the department head, the Purchasing Agent and the City Auditor, shall be made at the time of the final payment on such contract.



CITY OF CAMBRIDGE
CAMBRIDGE, MASSACHUSETTS 02139
TEL. 498-9011
FAX. 868-8159

EXECUTIVE DEPARTMENT
ROBERT W. HEALY
City Manager

RICHARD C. ROSSI
Deputy City Manager

June 30, 1990

To The Honorable, The City Council:

Attached, please find a communication from Russell B. Higley, City Solicitor, recommending the attached amendments to the City Code to enable it to conform to the new M.G.L. c.30B, which governs procurement of supplies and services. It is my recommendation that this be referred to the City Council Committee on Ordinances.

Very truly yours,

Robert W. Healy
City Manager

RWH/mev
enclosure



CITY OF CAMBRIDGE

Office of the City Solicitor
City Hall

795 Massachusetts Avenue
Cambridge, Massachusetts 02139

(617) 498-9020

Russell B. Higley
City Solicitor

Donald A. Drisdell
Deputy City Solicitor

Michael C. Costello
Assistant City Solicitor

Birge Aibrigh
Legal Counsel

Gail S. Gabriel
Legal Counsel

Joseph M. Kaigler
Legal Counsel

Diane Wynshaw-Boris
Legal Counsel

July 13, 1990

Robert W. Healy, City Manager
City of Cambridge
795 Massachusetts Avenue
Cambridge, MA 02139

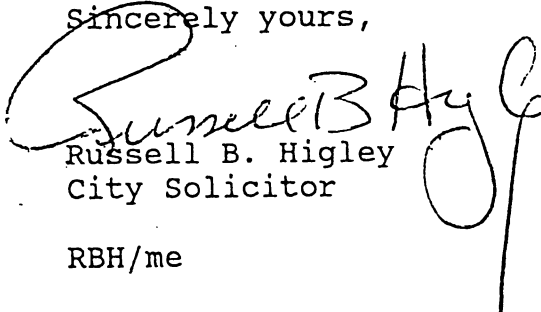
RE: Municipal Code Amendments - Chapters 2.34 and 2.112

Dear Mr. Healy,

I am recommending that the attached amendments be presented to City Council for its approval. The changes are made in an effort to conform to the new M.G.L. c.30B which governs procurement of supplies and services. For your convenience, I have enclosed a red-lined version of the ordinances.

Should you have any questions, please call me.

Sincerely yours,


Russell B. Higley
City Solicitor

RBH/me

Encl.: as stated



City of Cambridge

In the Year One Thousand, Nine Hundred ninety

AN ORDINANCE

Be it ordained by the City Council of the City of Cambridge as follows:

Chapters 2.34 and 2.112 of Title 2 of the Cambridge Municipal Code are hereby amended as follows:

2.34.090 Purchasing agent for city-Exceptions.

The Purchasing Agent shall procure all supplies or services for the City or any department thereof and may delegate such power and duty pursuant to G.L. c. 30B.

2.34.100 Requisition procedures.

Any department head or official of the City in need of supplies or services shall make requisition for the same of the Purchasing Agent upon requisition blanks devised and supplied by the Purchasing Agent.

2.34.110 Delivery or receipt of supplies-Billing. [Repeal]

2.34.120 Purchases in advance of requisitions.

The Purchasing Agent shall have authority to procure in advance of requisition such supplies or services as may be needed by the City and its departments, and which requisition shall be furnished to the Purchasing Agent by the various departments.

2.34.130 Storage lease agreements.

The Purchasing Agent, with the approval of the City Manager, shall have authority to lease premises necessary for storing such supplies as he may procure.

2.34.140 City Auditor approval required.

No liability shall be incurred upon procurements of supplies or services made by the Purchasing Agent until they shall have been approved by the City Auditor.

2.34.150 Competitive contracts.

All procurements for supplies or services exceeding one thousand dollars shall be based upon competition, and all procurements for supplies or services of ten thousand dollars or over shall be made in the manner provided by Chapter 2.112 of this title.

2.34.160 Purchases made for City only.

The Purchasing Agent shall procure only such supplies and services as are to be used in the business of the City.

2.34.170 Purchase Department Reserve Fund

An appropriation shall be made to the Purchasing Department to be known as the Purchasing Department Reserve Funds, to which all purchases of supplies, not made upon specific requisitions, shall be charged and to which all payments by departments and officials for such supplies shall be credited.

2.34.180 Report of purchases made to Director of Finance. [Repeal]**2.34.190 Recordkeeping of charges.**

The Purchasing Agent shall keep a record of the cost of supplies and services which shall be open at all reasonable times for public inspection.

2.34.210 Sale of surplus property.

All sales of surplus personal property made by the Purchasing Agent, where the value is less than five hundred dollars, shall be made pursuant to sound business practice.

2.34.230 Sale of surplus property--Expenses.

All expenses incurred by the Purchasing Agent in conducting any sale of the personal property of the City shall be approved by the City Auditor before payment.

2.34.240 Right of inspection of City property.

The Purchasing Agent shall at such times as he may deem

reasonable inspect the supplies of the City.

2.34.250 [Repeal]

2.34.260 Inspection of materials purchased.

All supplies and services procured, except emergency procurements, shall be inspected by or under the supervision of the Purchasing Agent.

2.34.270 Estimate of future needs.

As and when the Purchasing Agent may direct, every department, commission or board shall make an annual inventory of the personal property under its charge, and shall forward to the Purchasing Agent an estimate of the supplies it will need during the ensuing year.

2.34.280 Emergency purchases.

In case of emergency, a department head or official may directly purchase such supplies and services as may be needed, but before any liability shall accrue to the City, approval of the purchase shall be given by the City Manager.

2.112.010 Bonds required when.

Any contract exceeding ten thousand dollars for any work to be done for the City may be required to be accompanied by a bond with sureties satisfactory to the Purchasing Agent, by a deposit of certified check or other security for the faithful performance thereof approved by the Purchasing Agent. No proposal shall be accepted from or offered to any person who has breached a contract with the City during the three years preceding. All written contracts shall be executed in quadruplicate, and one of the copies shall be deposited with the Auditor.

2.112.020 Proposals and bids--Acceptance and award procedure.

No proposal or bid shall be received from any person offering to contract for supplies or services unless it is enclosed in a sealed envelope or wrapper. Such proposal or bid shall be at once placed in a sealed box in the Purchasing Department. All proposals and bids shall be publicly opened and read at the hour and place designated in the advertisement in the presence of the Purchasing Agent or such person as he may designate, and thereafter recorded.

The contract shall be awarded to the lowest bidder complying with the terms, subject to the other provisions of this chapter; provided, however, that if any such proposals or bids shall be

offered by persons who in the judgment of the board or officer issuing the advertisement shall be incompetent in respect to their means of faithfully executing the same, such proposals or bids may be rejected, notwithstanding the same to be at a lower rate than other proposals or bids offered for the same work, and the next lowest bidder shall be substituted. All proposals and bids shall be preserved by the Purchasing Department and shall be open to public inspection after the contract has been awarded and accepted by the bidder.

2.112.030 Contracts--Form.

In all cases where the amount of any contract shall exceed the sum of five thousand dollars, the contract shall be in writing and, after being signed by the parties, shall not be altered, in any particular way, without the consent of the contractor and of the board or officer making the contract, endorsed thereon. All payments for extra services or supplies, which extra services or supplies shall be approved in advance by the department head, the Purchasing Agent and the City Auditor, shall be made at the time of the final payment on such contract.

Chapters 2.34 and 2.112 of Title 2 of the Cambridge Municipal Code are hereby amended as follows:

2.34.090 Purchasing agent for city-Exceptions.

The Purchasing Agent shall ~~purchase all equipment, materials and procure all supplies or services~~ for the City or any department thereof, ~~except in case of emergency~~ and may delegate such power and duty pursuant to G.L. c. 30B.

2.34.100 Requisition procedures.

Any department head or official of the City in need of ~~equipment, materials or supplies or services~~ shall make requisition for the same of the Purchasing Agent upon requisition blanks devised and supplied by the Purchasing Agent.

2.34.110 Delivery or receipt of supplies-Billing. [Repeal]

~~When equipment, materials or supplies are delivered by the Purchasing Agent to any department or official that ordered them, a receipt shall be given to the Purchasing Agent, and the bill from the Purchasing Agent shall be transmitted to the Auditor by the department or official.~~

2.34.120 Purchases in advance of requisitions.

The Purchasing Agent shall have authority to ~~purchase procure~~ in advance of requisition such ~~equipment, materials or supplies or services~~ as may be needed by the City and its departments, and which upon requisition shall be furnished to the Purchasing Agent by the various departments.

2.34.130 Storage lease agreements.

The Purchasing Agent, with the approval of the City Manager, shall have authority to lease premises necessary for storing such ~~goods supplies~~ as he may ~~purchase procure~~.

2.34.140 ~~Director of Finance~~ City Auditor approval required.

No liability shall be incurred upon ~~purchase procurements of supplies or services~~ made by the Purchasing Agent until they shall have been approved by the ~~Director of Finance~~ City Auditor.

2.34.150 Competitive contracts.

All ~~purchase or contracts for purchase procurements~~ for ~~supplies or services~~ exceeding ~~two hundred fiftyone thousand~~ dollars shall be based upon competition, and all ~~purchase or contracts for purchase of four procurements~~ for ~~supplies or services~~ of ten thousand dollars or over shall be made in the manner provided by Chapter 2.1102 of this title.

2.34.160 Purchases made for City only.

The Purchasing Agent shall ~~purchase~~^{procure} only such ~~equipment, materials or supplies and services~~ as are to be used in the business of the City.

2.34.170 Purchase Department Reserve Fund

An appropriation shall be made to the Purchasing Department to be known as the Purchasing Department Reserve Funds, to which all purchases of ~~equipment, materials or supplies~~, not made upon specific requisitions, shall be charged and to which all payments by departments and officials for such ~~equipment, materials or supplies~~ shall be credited.

2.34.180 Report of purchases made to Director of Finance. [Repeal]

~~The Purchasing Agent shall within a reasonable time after the end of each month report to the Director of Finance the purchases made by him during the month preceding and also equipment, materials or supplies or services furnished by him to each department or official.~~

2.34.190 Recordkeeping of charges.

The Purchasing Agent shall keep a record of the ~~prices paid for equipment, materials or cost of supplies, and services~~ which shall be open at all reasonable times for public inspection.

2.34.210 Sale of surplus property--~~Public auction.~~

All sales of ~~surplus~~ personal property made by the Purchasing Agent, where the value exceeds ~~one's~~ less than five hundred dollars, shall be made in public, by auctioning or otherwise, and, ~~if by auction, advertisements of the time and place of such auction shall be made in newspaper published in the City at least one week in advance and such property shall be sold to the highest bidder, unless in the opinion of the Purchasing Agent such bid is less than the value of the property pursuant to sound business practice.~~

2.34.230 Sale of surplus property--Expenses.

All expenses incurred by the Purchasing Agent in conducting any sale of the personal property of the City shall be approved by the ~~Director of Finance~~^{City Auditor} before payment.

2.34.240 Right of inspection of City property.

The Purchasing Agent shall at such times as he may deem reasonable inspect the ~~equipment, materials or supplies~~ of the City.

2.34.250 ~~Standardization of equipment and materials.~~ [Repeal]

~~The Purchasing Agent shall have power to standardize equipment, materials or supplies used by the different departments, and shall also have authority to institute or order investigations or experiments to determine the comparative value or efficiency of any product, or commodity whenever it would seem that a possible saving might accrue to the City by the adoption or purchase of such product, or commodity.~~

2.34.260 Inspection of materials purchased.

All ~~equipment, materials or supplies and services~~ ~~procured,~~ except emergency ~~purchases~~ ~~procurements,~~ shall be inspected by or under the supervision of the Purchasing Agent.

2.34.270 Estimate of future needs.

~~As and when the Purchasing Agent may direct,~~ Every department, commission or board shall make an annual inventory as ~~and when the Purchasing Agent may direct~~ of the personal property under its charge, and ~~between May 1st and June 1st of each year it~~ shall forward to the Purchasing Agent an estimate of the ~~equipment, material or~~ supplies it will need during the ensuing year.

2.34.280 Emergency purchases.

In case of emergency, a department head or official may directly purchase such ~~equipment, material or~~ ~~supplies and services~~ as may be needed, but before any liability shall accrue to the City, approval of the purchase shall be given by the City Manager.

2.112.010 Bonds required when.

Any contract exceeding ~~tweten~~ thousand dollars for any work to be done for the City, may be required to be accompanied by a bond with sureties satisfactory to the ~~board or official having the~~ ~~matter in charge~~ ~~Purchasing Agent,~~ or by a deposit of money, certified check or other security for the faithful performance thereof ~~approved by the Purchasing Agent.~~ No proposal shall be accepted from or offered to any person who has breached a contract with the City during the three years preceding. All written contracts shall be executed in quadruplicate, and one of the copies shall be deposited with the Auditor.

2.112.020 Proposals and bids--Acceptance and award procedure.

No proposal ~~or bid~~ shall be received from any person offering to contract for ~~works~~ ~~supplies or services~~ unless it is enclosed in a sealed envelope or wrapper. Such proposal ~~or bid~~ shall be at once placed in a sealed box in the Purchasing Department. All

proposals and bids shall be publicly opened, and read and recorded in City Hall, at the hour and place designated in the advertisement, in the presence of the City Manager Purchasing Agent or such person as he may designate, and thereafter recorded. Such proposals shall be publicly opened, whenever so ordered by the City Manager. The contract shall be awarded to the lowest bidder complying with the terms, subject to the other provisions of this chapter; provided, however, that if any such proposals or bids shall be offered by persons who in the judgment of the board or officer issuing the advertisement shall be incompetent in respect to their means of faithfully executing the same, such proposals or bids may be rejected, notwithstanding the same to be at a lower rate than other proposals or bids offered for the same work, and the next highest lowest bidder shall be substituted, provided further, that if the second lowest bidder shall be a person having his place of business in the City and if such bid in the case of contracts of five hundred dollars or over but not exceeding one thousand dollars shall not be more than five percent above the lowest bidder and in case of contracts from one thousand dollars to three thousand dollars not more than four percent above the lowest bidder and in contracts over three thousand dollars but not more than ten thousand dollars not more than three percent above the lowest bidder, such board or officer shall have the discretion to award such contract to such second lowest bidder, and provided also, in all cases, that the board or officer may reject all bids and issue new advertisements. All proposals and bids shall be preserved by the Purchasing Department and shall be open to public inspection after the contract has been awarded, and accepted by the bidder.

2.112.030 Contracts--Form.

In all cases where the amount of any contract shall exceed the sum of ~~two~~ five thousand dollars, the contract shall be in writing, and, after being signed by the parties, shall not be altered, in any particular way, without the consent of the contractor and of the board or officer making the contract, endorsed thereon. And all payments for extra work services or supplies, which extra services or supplies shall be approved in advance by the department head, the Purchasing Agent and the City Auditor, shall be made at the time of the final payment on such contract.



CITY OF CAMBRIDGE

CAMBRIDGE, MASSACHUSETTS 02139

TEL. 498-9011

FAX. 868-8159

EXECUTIVE DEPARTMENT
ROBERT W. HEALY
City Manager

RICHARD C. ROSSI
Deputy City Manager

June 30, 1990

To The Honorable, The City Council:

Attached, please find a communication from Russell B. Higley, City Solicitor, recommending the attached amendments to the City Code to enable it to conform to the new M.G.L. c.30B, which governs procurement of supplies and services. It is my recommendation that this be referred to the City Council Committee on Ordinances.

Very truly yours,

Robert W. Healy
City Manager

RWH/mev
enclosure



CITY OF CAMBRIDGE

Russell B. Higley
City Solicitor

Donald A. Drisdell
Deputy City Solicitor

Michael C. Costello
Assistant City Solicitor

Office of the City Solicitor
City Hall
795 Massachusetts Avenue
Cambridge, Massachusetts 02139

(617) 498-9020

Birge Albright
Legal Counsel

Gail S. Gabriel
Legal Counsel

Joseph M. Kaigler
Legal Counsel

Diane Wynshaw-Boris
Legal Counsel

July 13, 1990

Robert W. Healy, City Manager
City of Cambridge
795 Massachusetts Avenue
Cambridge, MA 02139

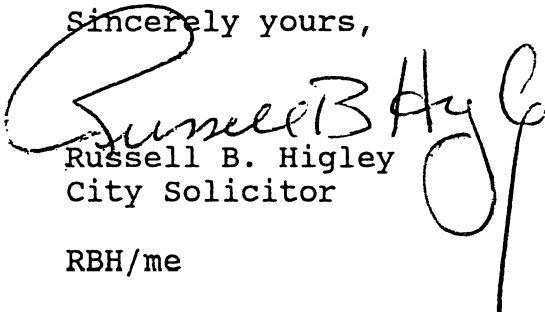
RE: Municipal Code Amendments - Chapters 2.34 and 2.112

Dear Mr. Healy,

I am recommending that the attached amendments be presented to City Council for its approval. The changes are made in an effort to conform to the new M.G.L. c.30B which governs procurement of supplies and services. For your convenience, I have enclosed a red-lined version of the ordinances.

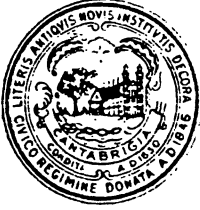
Should you have any questions, please call me.

Sincerely yours,


Russell B. Higley
City Solicitor

RBH/me

Encl.: as stated



City of Cambridge

In the Year One Thousand, Nine Hundred ninety

AN ORDINANCE

Be it ordained by the City Council of the City of Cambridge as follows:

Chapters 2.34 and 2.112 of Title 2 of the Cambridge Municipal Code are hereby amended as follows:

2.34.090 Purchasing agent for city-Exceptions.

The Purchasing Agent shall procure all supplies or services for the City or any department thereof and may delegate such power and duty pursuant to G.L. c. 30B.

2.34.100 Requisition procedures.

Any department head or official of the City in need of supplies or services shall make requisition for the same of the Purchasing Agent upon requisition blanks devised and supplied by the Purchasing Agent.

2.34.110 Delivery or receipt of supplies-Billing. [Repeal]

2.34.120 Purchases in advance of requisitions.

The Purchasing Agent shall have authority to procure in advance of requisition such supplies or services as may be needed by the City and its departments, and which requisition shall be furnished to the Purchasing Agent by the various departments.

2.34.130 Storage lease agreements.

The Purchasing Agent, with the approval of the City Manager, shall have authority to lease premises necessary for storing such supplies as he may procure.

2.34.140 City Auditor approval required.

No liability shall be incurred upon procurements of supplies or services made by the Purchasing Agent until they shall have been approved by the City Auditor.

2.34.150 Competitive contracts.

All procurements for supplies or services exceeding one thousand dollars shall be based upon competition, and all procurements for supplies or services of ten thousand dollars or over shall be made in the manner provided by Chapter 2.112 of this title.

2.34.160 Purchases made for City only.

The Purchasing Agent shall procure only such supplies and services as are to be used in the business of the City.

2.34.170 Purchase Department Reserve Fund

An appropriation shall be made to the Purchasing Department to be known as the Purchasing Department Reserve Funds, to which all purchases of supplies, not made upon specific requisitions, shall be charged and to which all payments by departments and officials for such supplies shall be credited.

2.34.180 Report of purchases made to Director of Finance. [Repeal]**2.34.190 Recordkeeping of charges.**

The Purchasing Agent shall keep a record of the cost of supplies and services which shall be open at all reasonable times for public inspection.

2.34.210 Sale of surplus property.

All sales of surplus personal property made by the Purchasing Agent, where the value is less than five hundred dollars, shall be made pursuant to sound business practice.

2.34.230 Sale of surplus property--Expenses.

All expenses incurred by the Purchasing Agent in conducting any sale of the personal property of the City shall be approved by the City Auditor before payment.

2.34.240 Right of inspection of City property.

The Purchasing Agent shall at such times as he may deem

reasonable inspect the supplies of the City.

2.34.250 [Repeal]

2.34.260 Inspection of materials purchased.

All supplies and services procured, except emergency procurements, shall be inspected by or under the supervision of the Purchasing Agent.

2.34.270 Estimate of future needs.

As and when the Purchasing Agent may direct, every department, commission or board shall make an annual inventory of the personal property under its charge, and shall forward to the Purchasing Agent an estimate of the supplies it will need during the ensuing year.

2.34.280 Emergency purchases.

In case of emergency, a department head or official may directly purchase such supplies and services as may be needed, but before any liability shall accrue to the City, approval of the purchase shall be given by the City Manager.

2.112.010 Bonds required when.

Any contract exceeding ten thousand dollars for any work to be done for the City may be required to be accompanied by a bond with sureties satisfactory to the Purchasing Agent, by a deposit of certified check or other security for the faithful performance thereof approved by the Purchasing Agent. No proposal shall be accepted from or offered to any person who has breached a contract with the City during the three years preceding. All written contracts shall be executed in quadruplicate, and one of the copies shall be deposited with the Auditor.

2.112.020 Proposals and bids--Acceptance and award procedure.

No proposal or bid shall be received from any person offering to contract for supplies or services unless it is enclosed in a sealed envelope or wrapper. Such proposal or bid shall be at once placed in a sealed box in the Purchasing Department. All proposals and bids shall be publicly opened and read at the hour and place designated in the advertisement in the presence of the Purchasing Agent or such person as he may designate, and thereafter recorded.

The contract shall be awarded to the lowest bidder complying with the terms, subject to the other provisions of this chapter; provided, however, that if any such proposals or bids shall be

offered by persons who in the judgment of the board or officer issuing the advertisement shall be incompetent in respect to their means of faithfully executing the same, such proposals or bids may be rejected, notwithstanding the same to be at a lower rate than other proposals or bids offered for the same work, and the next lowest bidder shall be substituted. All proposals and bids shall be preserved by the Purchasing Department and shall be open to public inspection after the contract has been awarded and accepted by the bidder.

2.112.030 Contracts--Form.

In all cases where the amount of any contract shall exceed the sum of five thousand dollars, the contract shall be in writing and, after being signed by the parties, shall not be altered, in any particular way, without the consent of the contractor and of the board or officer making the contract, endorsed thereon. All payments for extra services or supplies, which extra services or supplies shall be approved in advance by the department head, the Purchasing Agent and the City Auditor, shall be made at the time of the final payment on such contract.

Chapters 2.34 and 2.112 of Title 2 of the Cambridge Municipal Code are hereby amended as follows:

2.34.090 Purchasing agent for city-Exceptions.

The Purchasing Agent shall ~~purchase all equipment, materials and procure all supplies or services~~ for the City or any department thereof, ~~except in case of emergency~~ and may delegate such power and duty pursuant to G.L. c. 30B.

2.34.100 Requisition procedures.

Any department head or official of the City in need of ~~equipment, materials or supplies or services~~ shall make requisition for the same of the Purchasing Agent upon requisition blanks devised and supplied by the Purchasing Agent.

2.34.110 Delivery or receipt of supplies-Billing. [Repeal]

~~When equipment, materials or supplies are delivered by the Purchasing Agent to any department or official that ordered them, a receipt shall be given to the Purchasing Agent, and the bill from the Purchasing Agent shall be transmitted to the Auditor by the department or official.~~

2.34.120 Purchases in advance of requisitions.

The Purchasing Agent shall have authority to ~~purchase~~ ~~procure~~ in advance of requisition such ~~equipment, materials or supplies or services~~ as may be needed by the City and its departments, and which upon requisition shall be furnished to the Purchasing Agent by the various departments.

2.34.130 Storage lease agreements.

The Purchasing Agent, with the approval of the City Manager, shall have authority to lease premises necessary for storing such ~~goods~~ ~~supplies~~ as he may ~~purchase~~ ~~procure~~.

2.34.140 ~~Director of Finance~~ City Auditor approval required.

No liability shall be incurred upon ~~purchases~~ ~~procurements~~ of ~~supplies or services~~ made by the Purchasing Agent until they shall have been approved by the ~~Director of Finance~~ ~~City Auditor~~.

2.34.150 Competitive contracts.

All ~~purchases or contracts for purchases~~ ~~procurements~~ for ~~supplies or services~~ exceeding ~~two hundred fiftyone thousand~~ dollars shall be based upon competition, and all ~~purchases or contracts for purchases of four~~ ~~procurements~~ for ~~supplies or services~~ of ~~ten thousand~~ dollars or over shall be made in the manner provided by Chapter 2.110~~2~~ of this title.

2.34.160 Purchases made for City only.

The Purchasing Agent shall purchase~~procure~~ only such equipment, materials or supplies and services as are to be used in the business of the City.

2.34.170 Purchase Department Reserve Fund

An appropriation shall be made to the Purchasing Department to be known as the Purchasing Department Reserve Funds, to which all purchases of equipment, materials or supplies, not made upon specific requisitions, shall be charged and to which all payments by departments and officials for such equipment, materials or supplies shall be credited.

2.34.180 Report of purchases made to Director of Finance. [Repeal]

~~The Purchasing Agent shall within a reasonable time after the end of each month report to the Director of Finance the purchases made by him during the month preceding and also equipment, materials or supplies or services furnished by him to each department or official.~~

2.34.190 Recordkeeping of charges.

The Purchasing Agent shall keep a record of the prices paid for equipment, materials or cost of supplies, and services which shall be open at all reasonable times for public inspection.

2.34.210 Sale of surplus property--Public auction.

All sales of surplus personal property made by the Purchasing Agent, where the value exceeds one is less than five hundred dollars, shall be made in public, by auctioning or otherwise, and, if by auction, advertisements of the time and place of such auction shall be made in newspaper published in the City at least one week in advance and such property shall be sold to the highest bidder, unless in the opinion of the Purchasing Agent such bid is less than the value of the property pursuant to sound business practice.

2.34.230 Sale of surplus property--Expenses.

All expenses incurred by the Purchasing Agent in conducting any sale of the personal property of the City shall be approved by the Director of Finance City Auditor before payment.

2.34.240 Right of inspection of City property.

The Purchasing Agent shall at such times as he may deem reasonable inspect the equipment, materials or supplies of the City.

2.34.250 ~~Standardization of equipment and materials.~~ [Repeal]

~~The Purchasing Agent shall have power to standardize equipment, materials or supplies used by the different departments, and shall also have authority to institute or order investigations or experiments to determine the comparative value or efficiency of any product, or commodity whenever it would seem that a possible saving might accrue to the City by the adoption or purchase of such product, or commodity.~~

2.34.260 Inspection of materials purchased.

All ~~equipment, materials or supplies and services~~ purchased ~~procured~~, except emergency purchases ~~procurements~~, shall be inspected by or under the supervision of the Purchasing Agent.

2.34.270 Estimate of future needs.

~~As and when the Purchasing Agent may direct, Every~~ department, commission or board shall make an annual inventory as ~~and when the Purchasing Agent may direct~~ of the personal property under its charge, and ~~between May 1st and June 1st of each year it~~ shall forward to the Purchasing Agent an estimate of the equipment, ~~material or~~ supplies it will need during the ensuing year.

2.34.280 Emergency purchases.

In case of emergency, a department head or official may directly purchase such ~~equipment, material or~~ supplies ~~and services~~ as may be needed, but before any liability shall accrue to the City, approval of the purchase shall be given by the City Manager.

2.112.010 Bonds required when.

Any contract exceeding ~~tweten~~ thousand dollars for any work to be done for the City, may be required to be accompanied by a bond with sureties satisfactory to the ~~board or official having the matter in charge~~ Purchasing Agent, ~~or~~ by a deposit of money, certified check or other security for the faithful performance thereof ~~approved by the Purchasing Agent~~. No proposal shall be accepted from or offered to any person who has breached a contract with the City during the three years preceding. All written contracts shall be executed in quadruplicate, and one of the copies shall be deposited with the Auditor.

2.112.020 Proposals and bids--Acceptance and award procedure.

No proposal ~~or bid~~ shall be received from any person offering to contract for ~~work~~ supplies ~~or services~~ unless it is enclosed in a sealed envelope or wrapper. Such proposal ~~or bid~~ shall be at once placed in a sealed box in the Purchasing Department. All

proposals and bids shall be publicly opened, and read and recorded in City Hall, at the hour and place designated in the advertisement, in the presence of the City Manager Purchasing Agent or such person as he may designate, and thereafter recorded. Such proposals shall be publicly opened, whenever so ordered by the City Manager. The contract shall be awarded to the lowest bidder complying with the terms, subject to the other provisions of this chapter; provided, however, that if any such proposals or bids shall be offered by persons who in the judgment of the board or officer issuing the advertisement shall be incompetent in respect to their means of faithfully executing the same, such proposals or bids may be rejected, notwithstanding the same to be at a lower rate than other proposals or bids offered for the same work, and the next highest lowest bidder shall be substituted; provided further, that if the second lowest bidder shall be a person having his place of business in the City and if such bid in the case of contracts of five hundred dollars or over but not exceeding one thousand dollars shall not be more than five percent above the lowest bidder and in case of contracts from one thousand dollars to three thousand dollars not more than four percent above the lowest bidder and in contracts over three thousand dollars but not more than ten thousand dollars not more than three percent above the lowest bidder, such board or officer shall have the discretion to award such contract to such second lowest bidder, and provided also, in all cases, that the board or officer may reject all bids and issue new advertisements. All proposals and bids shall be preserved by the Purchasing Department and shall be open to public inspection after the contract has been awarded, and accepted by the bidder.

2.112.030 Contracts--Form.

In all cases where the amount of any contract shall exceed the sum of ~~two~~ five thousand dollars, the contract shall be in writing, and, after being signed by the parties, shall not be altered, in any particular way, without the consent of the contractor and of the board or officer making the contract, endorsed thereon. And ~~a~~ All payments for extra work services or supplies, which extra services or supplies shall be approved in advance by the department head, the Purchasing Agent and the City Auditor, shall be made at the time of the final payment on such contract.



CITY OF CAMBRIDGE

CAMBRIDGE, MASSACHUSETTS 02139

TEL. 498-9011

FAX. 868-8159

EXECUTIVE DEPARTMENT
ROBERT W. HEALY
City Manager

RICHARD C. ROSSI
Deputy City Manager

June 30, 1990

To The Honorable, The City Council:

Attached, please find a communication from Russell B. Higley, City Solicitor, recommending the attached amendments to the City Code to enable it to conform to the new M.G.L. c.30B, which governs procurement of supplies and services. It is my recommendation that this be referred to the City Council Committee on Ordinances.

Very truly yours,

Robert W. Healy
City Manager

RWH/mev
enclosure



CITY OF CAMBRIDGE

Russell B. Higley
City Solicitor

Donald A. Drisdell
Deputy City Solicitor

Michael C. Costello
Assistant City Solicitor

Office of the City Solicitor
City Hall
795 Massachusetts Avenue
Cambridge, Massachusetts 02139

(617) 498-9020

Birge Albright
Legal Counsel

Gail S. Gabriel
Legal Counsel

Joseph M. Kaigler
Legal Counsel

Diane Wynshaw-Boris
Legal Counsel

July 13, 1990

Robert W. Healy, City Manager
City of Cambridge
795 Massachusetts Avenue
Cambridge, MA 02139

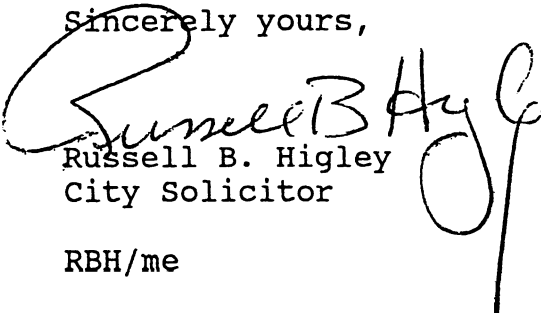
RE: Municipal Code Amendments - Chapters 2.34 and 2.112

Dear Mr. Healy,

I am recommending that the attached amendments be presented to City Council for its approval. The changes are made in an effort to conform to the new M.G.L. c.30B which governs procurement of supplies and services. For your convenience, I have enclosed a red-lined version of the ordinances.

Should you have any questions, please call me.

Sincerely yours,


Russell B. Higley
City Solicitor

RBH/me

Encl.: as stated



City of Cambridge

In the Year One Thousand, Nine Hundred ninety

AN ORDINANCE

Be it ordained by the City Council of the City of Cambridge as follows:

Chapters 2.34 and 2.112 of Title 2 of the Cambridge Municipal Code are hereby amended as follows:

2.34.090 Purchasing agent for city-Exceptions.

The Purchasing Agent shall procure all supplies or services for the City or any department thereof and may delegate such power and duty pursuant to G.L. c. 30B.

2.34.100 Requisition procedures.

Any department head or official of the City in need of supplies or services shall make requisition for the same of the Purchasing Agent upon requisition blanks devised and supplied by the Purchasing Agent.

2.34.110 Delivery or receipt of supplies-Billing. [Repeal]

2.34.120 Purchases in advance of requisitions.

The Purchasing Agent shall have authority to procure in advance of requisition such supplies or services as may be needed by the City and its departments, and which requisition shall be furnished to the Purchasing Agent by the various departments.

2.34.130 Storage lease agreements.

The Purchasing Agent, with the approval of the City Manager, shall have authority to lease premises necessary for storing such supplies as he may procure.

2.34.140 City Auditor approval required.

No liability shall be incurred upon procurements of supplies or services made by the Purchasing Agent until they shall have been approved by the City Auditor.

2.34.150 Competitive contracts.

All procurements for supplies or services exceeding one thousand dollars shall be based upon competition, and all procurements for supplies or services of ten thousand dollars or over shall be made in the manner provided by Chapter 2.112 of this title.

2.34.160 Purchases made for City only.

The Purchasing Agent shall procure only such supplies and services as are to be used in the business of the City.

2.34.170 Purchase Department Reserve Fund

An appropriation shall be made to the Purchasing Department to be known as the Purchasing Department Reserve Funds, to which all purchases of supplies, not made upon specific requisitions, shall be charged and to which all payments by departments and officials for such supplies shall be credited.

2.34.180 Report of purchases made to Director of Finance. [Repeal]**2.34.190 Recordkeeping of charges.**

The Purchasing Agent shall keep a record of the cost of supplies and services which shall be open at all reasonable times for public inspection.

2.34.210 Sale of surplus property.

All sales of surplus personal property made by the Purchasing Agent, where the value is less than five hundred dollars, shall be made pursuant to sound business practice.

2.34.230 Sale of surplus property--Expenses.

All expenses incurred by the Purchasing Agent in conducting any sale of the personal property of the City shall be approved by the City Auditor before payment.

2.34.240 Right of inspection of City property.

The Purchasing Agent shall at such times as he may deem

reasonable inspect the supplies of the City.

2.34.250 [Repeal]

2.34.260 Inspection of materials purchased.

All supplies and services procured, except emergency procurements, shall be inspected by or under the supervision of the Purchasing Agent.

2.34.270 Estimate of future needs.

As and when the Purchasing Agent may direct, every department, commission or board shall make an annual inventory of the personal property under its charge, and shall forward to the Purchasing Agent an estimate of the supplies it will need during the ensuing year.

2.34.280 Emergency purchases.

In case of emergency, a department head or official may directly purchase such supplies and services as may be needed, but before any liability shall accrue to the City, approval of the purchase shall be given by the City Manager.

2.112.010 Bonds required when.

Any contract exceeding ten thousand dollars for any work to be done for the City may be required to be accompanied by a bond with sureties satisfactory to the Purchasing Agent, by a deposit of certified check or other security for the faithful performance thereof approved by the Purchasing Agent. No proposal shall be accepted from or offered to any person who has breached a contract with the City during the three years preceding. All written contracts shall be executed in quadruplicate, and one of the copies shall be deposited with the Auditor.

2.112.020 Proposals and bids--Acceptance and award procedure.

No proposal or bid shall be received from any person offering to contract for supplies or services unless it is enclosed in a sealed envelope or wrapper. Such proposal or bid shall be at once placed in a sealed box in the Purchasing Department. All proposals and bids shall be publicly opened and read at the hour and place designated in the advertisement in the presence of the Purchasing Agent or such person as he may designate, and thereafter recorded.

The contract shall be awarded to the lowest bidder complying with the terms, subject to the other provisions of this chapter; provided, however, that if any such proposals or bids shall be

offered by persons who in the judgment of the board or officer issuing the advertisement shall be incompetent in respect to their means of faithfully executing the same, such proposals or bids may be rejected, notwithstanding the same to be at a lower rate than other proposals or bids offered for the same work, and the next lowest bidder shall be substituted. All proposals and bids shall be preserved by the Purchasing Department and shall be open to public inspection after the contract has been awarded and accepted by the bidder.

2.112.030 Contracts--Form.

In all cases where the amount of any contract shall exceed the sum of five thousand dollars, the contract shall be in writing and, after being signed by the parties, shall not be altered, in any particular way, without the consent of the contractor and of the board or officer making the contract, endorsed thereon. All payments for extra services or supplies, which extra services or supplies shall be approved in advance by the department head, the Purchasing Agent and the City Auditor, shall be made at the time of the final payment on such contract.

Chapters 2.34 and 2.112 of Title 2 of the Cambridge Municipal Code are hereby amended as follows:

2.34.090 Purchasing agent for city-Exceptions.

The Purchasing Agent shall ~~purchase all equipment, materials and procure all supplies or services~~ for the City or any department thereof, ~~except in case of emergency~~ and may delegate such power and duty pursuant to G.L. c. 30B.

2.34.100 Requisition procedures.

Any department head or official of the City in need of ~~equipment, materials or supplies or services~~ shall make requisition for the same of the Purchasing Agent upon requisition blanks devised and supplied by the Purchasing Agent.

2.34.110 Delivery or receipt of supplies-Billing. [Repeal]

~~When equipment, materials or supplies are delivered by the Purchasing Agent to any department or official that ordered them, a receipt shall be given to the Purchasing Agent, and the bill from the Purchasing Agent shall be transmitted to the Auditor by the department or official.~~

2.34.120 Purchases in advance of requisitions.

The Purchasing Agent shall have authority to ~~purchase~~ procure in advance of requisition such ~~equipment, materials or supplies or services~~ as may be needed by the City and its departments, and which upon requisition shall be furnished to the Purchasing Agent by the various departments.

2.34.130 Storage lease agreements.

The Purchasing Agent, with the approval of the City Manager, shall have authority to lease premises necessary for storing such ~~goods~~ supplies as he may ~~purchase~~ procure.

2.34.140 ~~Director of Finance~~ City Auditor approval required.

No liability shall be incurred upon ~~purchases~~ procurements of ~~supplies or services~~ made by the Purchasing Agent until they shall have been approved by the ~~Director of Finance~~ City Auditor.

2.34.150 Competitive contracts.

All ~~purchases or contracts for purchases~~ procurements for ~~supplies or services~~ exceeding ~~two hundred fiftyone thousand~~ dollars shall be based upon competition, and all ~~purchases or contracts for purchases of four~~ procurements for ~~supplies or services of ten thousand~~ dollars or over shall be made in the manner provided by Chapter 2.1102 of this title.

2.34.160 Purchases made for City only.

The Purchasing Agent shall ~~purchase~~procure only such ~~equipment, materials or supplies and services~~ as are to be used in the business of the City.

2.34.170 Purchase Department Reserve Fund

An appropriation shall be made to the Purchasing Department to be known as the Purchasing Department Reserve Funds, to which all purchases of ~~equipment, materials or supplies~~, not made upon specific requisitions, shall be charged and to which all payments by departments and officials for such ~~equipment, materials or supplies~~ shall be credited.

2.34.180 Report of purchases made to Director of Finance. [Repeal]

~~The Purchasing Agent shall within a reasonable time after the end of each month report to the Director of Finance the purchases made by him during the month preceding and also equipment, materials or supplies or services furnished by him to each department or official.~~

2.34.190 Recordkeeping of charges.

The Purchasing Agent shall keep a record of the ~~prices paid for equipment, materials or cost of supplies, and services~~ which shall be open at all reasonable times for public inspection.

2.34.210 Sale of surplus property--Public auction.

All sales of ~~surplus~~ personal property made by the Purchasing Agent, where the value exceeds ~~one~~is less than five hundred dollars, shall be made in public, by auctioning or otherwise, and, ~~if by auction, advertisements of the time and place of such auction shall be made in newspaper published in the City at least one week in advance and such property shall be sold to the highest bidder, unless in the opinion of the Purchasing Agent such bid is less than the value of the property pursuant to sound business practice.~~

2.34.230 Sale of surplus property--Expenses.

All expenses incurred by the Purchasing Agent in conducting any sale of the personal property of the City shall be approved by the ~~Director of Finance~~City Auditor before payment.

2.34.240 Right of inspection of City property.

The Purchasing Agent shall at such times as he may deem reasonable inspect the ~~equipment, materials or supplies~~ of the City.

2.34.250 ~~Standardization of equipment and materials.~~ [Repeal]

~~The Purchasing Agent shall have power to standardize equipment, materials or supplies used by the different departments, and shall also have authority to institute or order investigations or experiments to determine the comparative value or efficiency of any product, or commodity whenever it would seem that a possible saving might accrue to the City by the adoption or purchase of such product, or commodity.~~

2.34.260 Inspection of materials purchased.

All ~~equipment, materials or supplies and services~~ purchased ~~procured~~, except emergency purchases ~~procurements~~, shall be inspected by or under the supervision of the Purchasing Agent.

2.34.270 Estimate of future needs.

~~As and when the Purchasing Agent may direct, Every~~ department, commission or board shall make an annual inventory as ~~and when the Purchasing Agent may direct~~ of the personal property under its charge, and ~~between May 1st and June 1st of each year it~~ shall forward to the Purchasing Agent an estimate of the ~~equipment, material or~~ supplies it will need during the ensuing year.

2.34.280 Emergency purchases.

In case of emergency, a department head or official may directly purchase such ~~equipment, material or~~ supplies ~~and services~~ as may be needed, but before any liability shall accrue to the City, approval of the purchase shall be given by the City Manager.

2.112.010 Bonds required when.

Any contract exceeding ~~tweten~~ thousand dollars for any work to be done for the City, may be required to be accompanied by a bond with sureties satisfactory to the ~~board or official having the matter in charge~~ Purchasing Agent, or by a deposit of money, certified check or other security for the faithful performance thereof ~~approved by the Purchasing Agent~~. No proposal shall be accepted from or offered to any person who has breached a contract with the City during the three years preceding. All written contracts shall be executed in quadruplicate, and one of the copies shall be deposited with the Auditor.

2.112.020 Proposals and bids--Acceptance and award procedure.

No proposal or ~~bid~~ shall be received from any person offering to contract for ~~works~~ supplies or services unless it is enclosed in a sealed envelope or wrapper. Such proposal or ~~bid~~ shall be at once placed in a sealed box in the Purchasing Department. All

proposals and bids shall be publicly opened, and read and recorded in City Hall, at the hour and place designated in the advertisement, in the presence of the City Manager Purchasing Agent or such person as he may designate, and thereafter recorded. Such proposals shall be publicly opened, whenever so ordered by the City Manager. The contract shall be awarded to the lowest bidder complying with the terms, subject to the other provisions of this chapter; provided, however, that if any such proposals or bids shall be offered by persons who in the judgment of the board or officer issuing the advertisement shall be incompetent in respect to their means of faithfully executing the same, such proposals or bids may be rejected, notwithstanding the same to be at a lower rate than other proposals or bids offered for the same work, and the next highest lowest bidder shall be substituted; provided further, that if the second lowest bidder shall be a person having his place of business in the City and if such bid in the case of contracts of five hundred dollars or over but not exceeding one thousand dollars shall not be more than five percent above the lowest bidder and in case of contracts from one thousand dollars to three thousand dollars not more than four percent above the lowest bidder and in contracts over three thousand dollars but not more than ten thousand dollars not more than three percent above the lowest bidder, such board or officer shall have the discretion to award such contract to such second lowest bidder, and provided also, in all cases, that the board or officer may reject all bids and issue new advertisements. All proposals and bids shall be preserved by the Purchasing Department and shall be open to public inspection after the contract has been awarded, and accepted by the bidder.

2.112.030 Contracts--Form.

In all cases where the amount of any contract shall exceed the sum of ~~two~~ five thousand dollars, the contract shall be in writing, and, after being signed by the parties, shall not be altered, in any particular way, without the consent of the contractor and of the board or officer making the contract, endorsed thereon. And ~~a~~ All payments for extra work services or supplies, which extra services or supplies shall be approved in advance by the department head, the Purchasing Agent and the City Auditor, shall be made at the time of the final payment on such contract.



CITY OF CAMBRIDGE

CAMBRIDGE, MASSACHUSETTS 02139

TEL. 498-9011

FAX. 868-8159

EXECUTIVE DEPARTMENT
ROBERT W. HEALY
City Manager

RICHARD C. ROSSI
Deputy City Manager

June 30, 1990

To The Honorable, The City Council:

Attached, please find a communication from Russell B. Higley, City Solicitor, recommending the attached amendments to the City Code to enable it to conform to the new M.G.L. c.30B, which governs procurement of supplies and services. It is my recommendation that this be referred to the City Council Committee on Ordinances.

Very truly yours,

Robert W. Healy
City Manager

RWH/mev
enclosure



CITY OF CAMBRIDGE

Office of the City Solicitor

City Hall

795 Massachusetts Avenue
Cambridge, Massachusetts 02139

(617) 498-9020

Russell B. Higley
City Solicitor

Donald A. Drisdell
Deputy City Solicitor

Michael C. Costello
Assistant City Solicitor

Birge Albright
Legal Counsel

Gail S. Gabriel
Legal Counsel

Joseph M. Kaigler
Legal Counsel

Diane Wynshaw-Boris
Legal Counsel

July 13, 1990

Robert W. Healy, City Manager
City of Cambridge
795 Massachusetts Avenue
Cambridge, MA 02139

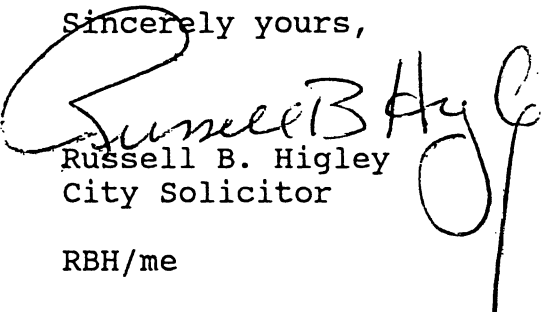
RE: Municipal Code Amendments - Chapters 2.34 and 2.112

Dear Mr. Healy,

I am recommending that the attached amendments be presented to City Council for its approval. The changes are made in an effort to conform to the new M.G.L. c.30B which governs procurement of supplies and services. For your convenience, I have enclosed a red-lined version of the ordinances.

Should you have any questions, please call me.

Sincerely yours,


Russell B. Higley
City Solicitor

RBH/me

Encl.: as stated



City of Cambridge

In the Year One Thousand, Nine Hundred ninety

AN ORDINANCE

Be it ordained by the City Council of the City of Cambridge as follows:

Chapters 2.34 and 2.112 of Title 2 of the Cambridge Municipal Code are hereby amended as follows:

2.34.090 Purchasing agent for city-Exceptions.

The Purchasing Agent shall procure all supplies or services for the City or any department thereof and may delegate such power and duty pursuant to G.L. c. 30B.

2.34.100 Requisition procedures.

Any department head or official of the City in need of supplies or services shall make requisition for the same of the Purchasing Agent upon requisition blanks devised and supplied by the Purchasing Agent.

2.34.110 Delivery or receipt of supplies-Billing. [Repeal]

2.34.120 Purchases in advance of requisitions.

The Purchasing Agent shall have authority to procure in advance of requisition such supplies or services as may be needed by the City and its departments, and which requisition shall be furnished to the Purchasing Agent by the various departments.

2.34.130 Storage lease agreements.

The Purchasing Agent, with the approval of the City Manager, shall have authority to lease premises necessary for storing such supplies as he may procure.

2.34.140 City Auditor approval required.

No liability shall be incurred upon procurements of supplies or services made by the Purchasing Agent until they shall have been approved by the City Auditor.

2.34.150 Competitive contracts.

All procurements for supplies or services exceeding one thousand dollars shall be based upon competition, and all procurements for supplies or services of ten thousand dollars or over shall be made in the manner provided by Chapter 2.112 of this title.

2.34.160 Purchases made for City only.

The Purchasing Agent shall procure only such supplies and services as are to be used in the business of the City.

2.34.170 Purchase Department Reserve Fund

An appropriation shall be made to the Purchasing Department to be known as the Purchasing Department Reserve Funds, to which all purchases of supplies, not made upon specific requisitions, shall be charged and to which all payments by departments and officials for such supplies shall be credited.

2.34.180 Report of purchases made to Director of Finance. [Repeal]**2.34.190 Recordkeeping of charges.**

The Purchasing Agent shall keep a record of the cost of supplies and services which shall be open at all reasonable times for public inspection.

2.34.210 Sale of surplus property.

All sales of surplus personal property made by the Purchasing Agent, where the value is less than five hundred dollars, shall be made pursuant to sound business practice.

2.34.230 Sale of surplus property--Expenses.

All expenses incurred by the Purchasing Agent in conducting any sale of the personal property of the City shall be approved by the City Auditor before payment.

2.34.240 Right of inspection of City property.

The Purchasing Agent shall at such times as he may deem

reasonable inspect the supplies of the City.

2.34.250 [Repeal]

2.34.260 Inspection of materials purchased.

All supplies and services procured, except emergency procurements, shall be inspected by or under the supervision of the Purchasing Agent.

2.34.270 Estimate of future needs.

As and when the Purchasing Agent may direct, every department, commission or board shall make an annual inventory of the personal property under its charge, and shall forward to the Purchasing Agent an estimate of the supplies it will need during the ensuing year.

2.34.280 Emergency purchases.

In case of emergency, a department head or official may directly purchase such supplies and services as may be needed, but before any liability shall accrue to the City, approval of the purchase shall be given by the City Manager.

2.112.010 Bonds required when.

Any contract exceeding ten thousand dollars for any work to be done for the City may be required to be accompanied by a bond with sureties satisfactory to the Purchasing Agent, by a deposit of certified check or other security for the faithful performance thereof approved by the Purchasing Agent. No proposal shall be accepted from or offered to any person who has breached a contract with the City during the three years preceding. All written contracts shall be executed in quadruplicate, and one of the copies shall be deposited with the Auditor.

2.112.020 Proposals and bids--Acceptance and award procedure.

No proposal or bid shall be received from any person offering to contract for supplies or services unless it is enclosed in a sealed envelope or wrapper. Such proposal or bid shall be at once placed in a sealed box in the Purchasing Department. All proposals and bids shall be publicly opened and read at the hour and place designated in the advertisement in the presence of the Purchasing Agent or such person as he may designate, and thereafter recorded.

The contract shall be awarded to the lowest bidder complying with the terms, subject to the other provisions of this chapter; provided, however, that if any such proposals or bids shall be

offered by persons who in the judgment of the board or officer issuing the advertisement shall be incompetent in respect to their means of faithfully executing the same, such proposals or bids may be rejected, notwithstanding the same to be at a lower rate than other proposals or bids offered for the same work, and the next lowest bidder shall be substituted. All proposals and bids shall be preserved by the Purchasing Department and shall be open to public inspection after the contract has been awarded and accepted by the bidder.

2.112.030 Contracts--Form.

In all cases where the amount of any contract shall exceed the sum of five thousand dollars, the contract shall be in writing and, after being signed by the parties, shall not be altered, in any particular way, without the consent of the contractor and of the board or officer making the contract, endorsed thereon. All payments for extra services or supplies, which extra services or supplies shall be approved in advance by the department head, the Purchasing Agent and the City Auditor, shall be made at the time of the final payment on such contract.

Chapters 2.34 and 2.112 of Title 2 of the Cambridge Municipal Code are hereby amended as follows:

2.34.090 Purchasing agent for city-Exceptions.

The Purchasing Agent shall ~~purchase all equipment, materials and procure all supplies or services~~ for the City or any department thereof, ~~except in case of emergency and may delegate such power and duty pursuant to G.L. c. 30B.~~

2.34.100 Requisition procedures.

Any department head or official of the City in need of ~~equipment, materials or supplies or services~~ shall make requisition for the same of the Purchasing Agent upon requisition blanks devised and supplied by the Purchasing Agent.

2.34.110 Delivery or receipt of supplies-Billing. [Repeal]

~~When equipment, materials or supplies are delivered by the Purchasing Agent to any department or official that ordered them, a receipt shall be given to the Purchasing Agent, and the bill from the Purchasing Agent shall be transmitted to the Auditor by the department or official.~~

2.34.120 Purchases in advance of requisitions.

The Purchasing Agent shall have authority to ~~purchase procure~~ in advance of requisition such ~~equipment, materials or supplies or services~~ as may be needed by the City and its departments, and which upon requisition shall be furnished to the Purchasing Agent by the various departments.

2.34.130 Storage lease agreements.

The Purchasing Agent, with the approval of the City Manager, shall have authority to lease premises necessary for storing such ~~goodssupplies~~ as he may ~~purchase procure~~.

2.34.140 ~~Director of Finance~~ City Auditor approval required.

No liability shall be incurred upon ~~purchases procurements of supplies or services~~ made by the Purchasing Agent until they shall have been approved by the ~~Director of Finance~~ City Auditor.

2.34.150 Competitive contracts.

All ~~purchases or contracts for purchases procurements for supplies or services~~ exceeding two hundred fiftyone thousand dollars shall be based upon competition, and all ~~purchases or contracts for purchases of four procurements for supplies or services of ten thousand~~ dollars or over shall be made in the manner provided by Chapter 2.110~~2~~ of this title.

2.34.160 Purchases made for City only.

The Purchasing Agent shall ~~purchase~~procure only such ~~equipment, materials or supplies and services~~ as are to be used in the business of the City.

2.34.170 Purchase Department Reserve Fund

An appropriation shall be made to the Purchasing Department to be known as the Purchasing Department Reserve Funds, to which all purchases of ~~equipment, materials or supplies~~, not made upon specific requisitions, shall be charged and to which all payments by departments and officials for such ~~equipment, materials or supplies~~ shall be credited.

2.34.180 Report of purchases made to Director of Finance. [Repeal]

~~The Purchasing Agent shall within a reasonable time after the end of each month report to the Director of Finance the purchases made by him during the month preceding and also equipment, materials or supplies or services furnished by him to each department or official.~~

2.34.190 Recordkeeping of charges.

The Purchasing Agent shall keep a record of the ~~prices paid for equipment, materials or cost of supplies, and services~~ which shall be open at all reasonable times for public inspection.

2.34.210 Sale of surplus property--Public auction.

All sales of ~~surplus~~ personal property made by the Purchasing Agent, where the value ~~exceeds one's~~ less than five hundred dollars, shall be made in public, by ~~auctioning or otherwise, and, if by auction, advertisements of the time and place of such auction shall be made in newspaper published in the City at least one week in advance and such property shall be sold to the highest bidder, unless in the opinion of the Purchasing Agent such bid is less than the value of the property pursuant to sound business practice.~~

2.34.230 Sale of surplus property--Expenses.

All expenses incurred by the Purchasing Agent in conducting any sale of the personal property of the City shall be approved by the ~~Director of Finance~~City Auditor before payment.

2.34.240 Right of inspection of City property.

The Purchasing Agent shall at such times as he may deem reasonable inspect the ~~equipment, materials or supplies~~ of the City.

2.34.250 ~~Standardization of equipment and materials.~~ [Repeal]

~~The Purchasing Agent shall have power to standardize equipment, materials or supplies used by the different departments, and shall also have authority to institute or order investigations or experiments to determine the comparative value or efficiency of any product, or commodity whenever it would seem that a possible saving might accrue to the City by the adoption or purchase of such product, or commodity.~~

2.34.260 Inspection of materials purchased.

All equipment, materials or supplies and services purchased procured, except emergency purchases procurements, shall be inspected by or under the supervision of the Purchasing Agent.

2.34.270 Estimate of future needs.

As and when the Purchasing Agent may direct, Every department, commission or board shall make an annual inventory as and when the Purchasing Agent may direct of the personal property under its charge, and between May 1st and June 1st of each year it shall forward to the Purchasing Agent an estimate of the equipment, material or supplies it will need during the ensuing year.

2.34.280 Emergency purchases.

In case of emergency, a department head or official may directly purchase such equipment, material or supplies and services as may be needed, but before any liability shall accrue to the City, approval of the purchase shall be given by the City Manager.

2.112.010 Bonds required when.

Any contract exceeding ~~tweten~~ thousand dollars for any work to be done for the City, may be required to be accompanied by a bond with sureties satisfactory to the board or official having the matter in charge Purchasing Agent, or by a deposit of money, certified check or other security for the faithful performance thereof approved by the Purchasing Agent. No proposal shall be accepted from or offered to any person who has breached a contract with the City during the three years preceding. All written contracts shall be executed in quadruplicate, and one of the copies shall be deposited with the Auditor.

2.112.020 Proposals and bids--Acceptance and award procedure.

No proposal or bid shall be received from any person offering to contract for work supplies or services unless it is enclosed in a sealed envelope or wrapper. Such proposal or bid shall be at once placed in a sealed box in the Purchasing Department. All

proposals and bids shall be publicly opened, and read and recorded in City Hall, at the hour and place designated in the advertisement, in the presence of the City Manager Purchasing Agent or such person as he may designate, and thereafter recorded. Such proposals shall be publicly opened, whenever so ordered by the City Manager. The contract shall be awarded to the lowest bidder complying with the terms, subject to the other provisions of this chapter; provided, however, that if any such proposals or bids shall be offered by persons who in the judgment of the board or officer issuing the advertisement shall be incompetent in respect to their means of faithfully executing the same, such proposals or bids may be rejected, notwithstanding the same to be at a lower rate than other proposals or bids offered for the same work, and the next highest lowest bidder shall be substituted; provided further, that if the second lowest bidder shall be a person having his place of business in the City and if such bid in the case of contracts of five hundred dollars or over but not exceeding one thousand dollars shall not be more than five percent above the lowest bidder and in case of contracts from one thousand dollars to three thousand dollars not more than four percent above the lowest bidder and in contracts over three thousand dollars but not more than ten thousand dollars not more than three percent above the lowest bidder, such board or officer shall have the discretion to award such contract to such second lowest bidder, and provided also, in all cases, that the board or officer may reject all bids and issue new advertisements. All proposals and bids shall be preserved by the Purchasing Department and shall be open to public inspection after the contract has been awarded, and accepted by the bidder.

2.112.030 Contracts--Form.

In all cases where the amount of any contract shall exceed the sum of ~~twelve~~ five thousand dollars, the contract shall be in writing, and, after being signed by the parties, shall not be altered, in any particular way, without the consent of the contractor and of the board or officer making the contract, endorsed thereon. And ~~a~~ All payments for extra workservices or supplies, which extra services or supplies shall be approved in advance by the department head, the Purchasing Agent and the City Auditor, shall be made at the time of the final payment on such contract.

City of Cambridge

The Committee on Ordinances conducted a public hearing on Tuesday, October 16, 1990 beginning at 6:30 p.m. in the Sullivan Chamber, City Hall.

The purpose of this hearing was to review and take testimony on a proposed amendment to the Municipal Code relative to the Procurement of Supplies and Services.

Members present: Councillor Francis H. Duehay, Councillor William H. Walsh, Councillor Walter J. Sullivan, Mayor Alice K. Wolf, Councillor Timothy J. Toomey, Jr. and City Clerk Joseph E. Connarton.

Councillor Duehay, Chair of the above committee, opened the hearing and requested the Deputy City Manager and the Purchasing Agent to outline the proposed amendment to the committee.

Richard Rossi, Deputy City Manager, Barbara Duffy, Purchasing Agent and Diane Wynshaw-Boris, Legal Counsel provided a historical overview of the proposed amendment as it relates to compliance with Chapter 30B, Massachusetts General Laws.

Ms. Duffy, informed the committee that pursuant to the new statute all municipal services and supplies are now put out to bid in one form or another, that new RFP have been developed and are in place.

Mr. Rossi stated that the main point to be made is the city will in the long run save money because of the need for less advertising due to the increased dollar amount on which bids must be solicited.

Attorney Wynshaw-Boris outlined the proposed sections of the ordinance which were being amended, Section 2.34.090 et seq.

Mr. Rossi informed the committee that both he and the City Manager, the Purchasing Agent and the City Solicitor strongly recommend adoption of the ordinance.

City of Cambridge

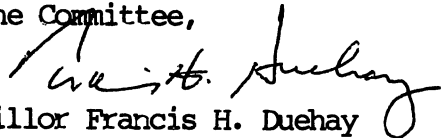
- 2 -

Councillor Sullivan moved to refer the proposed amendment to the full City Council with a favorable recommendation.

The motion carried.

The hearing adjourned at six o'clock and forty-three minutes p. m.

For the Committee,


Councillor Francis H. Duehay
Chairman

3.

0-46

COMMITTEE REPORTS

Ordinance Committee Report for a hearing held on Tuesday, October 16, 1990 relative to a proposed amendment to the Municipal Code relative to the Procurement of Supplies and Services.

In City Council,

October 22, 1990

*Passed to be
second reading
11/5/90 Passed to
be ordained*