

**Borough of Carlisle**

ORDINANCE NO. 2257

AN ORDINANCE OF THE BOROUGH COUNCIL OF THE BOROUGH OF  
CARLISLE ESTABLISHING A PURCHASING CODE.

WHEREAS, pursuant to Article V, Section 516.A of the Carlisle Home Rule Charter (the “Charter”), Council is charged with establishing an Administrative Code containing, inter alia, a purchasing code; and

WHEREAS, pursuant to Section 516.B of the Charter, Council may provide for bid limits of no more than 25% percent higher than those established in the Pennsylvania Borough Code, as amended, for those purchases that are to be made requiring quotations and those purchases requiring solicitation of bids by advertisement.

NOW THEREFORE, it is HEREBY ENACTED AND ORDAINED by the Borough Council of the Borough of Carlisle, Cumberland County, Pennsylvania, as follows:

**SECTION 1:** The the Code of the Borough of Carlisle is hereby amended to include the following new Article II to Chapter 15 [Administrative Code] as follows:

ARTICLE II – Purchasing Code

**§15-9. Legislative Intent.**

This Purchasing Code is established under authority of Section 516.A of the Carlisle Home Rule Charter for purposes of providing flexibility and administrative convenience in the purchase of goods and services utilized ultimately for the benefit of the citizens of the Borough of Carlisle in delivering efficient and cost effective municipal service.

**§15-10. Competitive Bidding.**

- A. Except as otherwise specified in this Article, all contracts for the purchase of goods and/or services that are in excess of \$13,125 and up to \$24,250 shall require at least three (3) written or appropriately documented telephonic quotations. A documented response by a vendor in the market area within which it is practical to obtain such a quotation dealing in the goods or services sought to be purchased that the vendor is unwilling or unable to provide such a quote or bid shall constitute an acceptable quotation.

- B. Except as otherwise specified in this Article, all contracts for the purchase of goods and/or services over \$24,250 shall be entered into after competitive bidding in accordance with the requirements of the Pennsylvania Borough Code, as modified by §15-12 below.
- C. The base amounts established for purchases as noted in A. and B. above of this Section are subject to annual adjustment in accordance with the Pennsylvania Borough Code, 8 Pa.C.S. §1402(a.2) (or any successor or amended provisions thereof), whereby those base amounts so established by annual adjustment under the Pennsylvania Borough Code shall be automatically adjusted and increased by 25%.

**§15-11. Authority to Approve Purchases and Contracts.**

- A. The Borough Manager, and the Director of Finance upon written designation by the Borough Manager, shall have the authority to approve all purchases and contracts for the purchase of goods and/or services in an amount of up to \$13,125 (as that amount may be adjusted in accordance with §15-10.C, above), provided that the funds for the purchase or contract have been budgeted for the year in which the purchase or contract is to be made.
- B. Borough Council shall have the exclusive authority to approve all purchases and contracts for purchases of goods and/or services having an amount of more than \$13,125 (as that amount may be adjusted in accordance with §15-10.C, above).

**§15-12. Publication.**

The publication of any notices required by law for the solicitation of bids or proposals for goods and/or services shall be made by publication of such notice on the Borough's official web site in accordance with the publication schedule as required by the Pennsylvania Borough Code or any successor or amended provisions thereof. Nothing in this Section shall be construed as preventing publication, in addition to that on the official web site of the Borough, in newspapers of general circulation in the Borough and/or other publications or by other methods intended to provide notice of the opportunity to bid to vendors.

**§15-13. Exempt Purchases.**

In addition to emergency purchases as authorized in the Carlisle Home Rule Charter, the contracts or purchases made by the Borough of Carlisle which shall not require advertising, bidding or price quotations are as follows:

- A. Those purchases or contracts identified as exempt under the Pennsylvania Borough Code, or any successor or amended provisions thereof;
- B. Those purchases or contracts identified as exempt under the Pennsylvania First Class Township Code, or any successor or amended provisions thereof;
- C. Those purchases or contracts identified as exempt under the Pennsylvania Second Class Township Code, or any successor or amended provisions thereof;
- D. Those purchases or contracts identified as exempt under the County Code, or any successor or amended provisions thereof; and

- E. Those purchases or contracts identified as exempt under the Pennsylvania Municipality Authorities Act, or any successor or amended provisions thereof.

**§15-14. Application of Other Laws and Codes.**

Nothing in this Article shall be construed to limit or prohibit the purchase of goods or services by the Borough of Carlisle in accordance with those laws or codes that otherwise permit purchases by Pennsylvania boroughs. To the extent not modified by this Article, the Borough shall comply with all purchasing requirements of the Pennsylvania Borough Code and applicable law.

**SECTION 2:** All ordinances or parts of ordinances or parts of the Borough of Carlisle Code of Ordinances inconsistent herewith are hereby repealed.

**SECTION 3:** The provisions of this Ordinance shall be severable. If any of its provisions shall be held to be unconstitutional, illegal or otherwise invalid, that decision shall not affect the remaining provisions of this Ordinance or any other provision, section, article or chapter of the Code of the Borough of Carlisle.

**SECTION 4:** This Ordinance shall become effective immediately upon its enactment.

ENACTED AND ORDAINED this 10<sup>th</sup> day of November, 2016.

ATTEST:

BOROUGH OF CARLISLE

Signature on file in Borough Manager's Office

Signature on file in Borough Manager's Office

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Joyce E. Stone, Secretary

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Timothy A. Scott, Mayor

(Borough Seal)