

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING CHAPTER 7, ENTITLED "FINANCE", ARTICLE III, ENTITLED "PROCUREMENT CODE", DIVISION 3, ENTITLED "SOURCE SELECTION AND CONTRACT FORMATION", SPECIFICALLY AT SECTION 7-140, ENTITLED "OPENING PROCEDURE" OF THE NORTH MIAMI CODE OF ORDINANCES; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION AND FOR AN EFFECTIVE DATE.

WHEREAS, on October 23, 2007, the Mayor and City Council adopted Ordinance No. 1244 amending the City's Procurement Ordinance; and

WHEREAS, the Mayor and City Council find that it is in the best interest of the City to amend Section 7-140 of the City's Procurement Ordinance.

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, THAT:

Section 1. Amendment to Chapter 7, Section 7-140. The Mayor and City Council of the City of North Miami, Florida, hereby amend Chapter 7, entitled "Finance", Article III, entitled "Procurement Code", Division 3, entitled "Source Selection and Contract Formation", specifically at Section 7-140, entitled "Opening Procedure" of the North Miami Code of Ordinances, as follows:

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Sec. 7-140. - Opening procedure.

- (a) All bids, proposals and qualifications shall be submitted within the time specified in the IFB, RFP, or RFQ, sealed to the city clerk and shall be identified as such on the outermost envelope or box used by the offeror or bidder in shipping.
- (b) All bids, proposals and qualifications shall be opened in the office of the city clerk or council chambers at the time stated in the public notice or as soon thereafter as practicable, and shall be witnessed and certified.

- (c) A tabulation of all bids, proposals and qualifications timely received shall be kept for public inspection in the purchasing department. Bids, proposals and qualifications received after the deadline shall be returned to sender unopened by the purchasing department.

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Section 2. **Conflicts.** In the event that the provisions of this Ordinance are in conflict with any other ordinance, rule or regulation, the provisions of this Ordinance shall prevail.

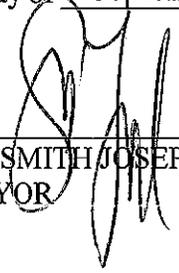
Section 3. **Severability.** The provisions of this Ordinance are declared to be severable, and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance, but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 4. **Codification.** It is the intention of the City Council of the City of North Miami and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of North Miami, Florida. The sections of this Ordinance may be renumbered or re-lettered to accomplish such intentions; and the word "ordinance" may be changed to "section," "article" or any other appropriate word.

Section 5. **Effective Date.** This Ordinance shall become effective immediately upon adoption on second reading.

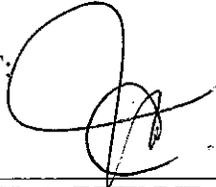
PASSED AND ADOPTED by a 5 - 0 vote of the Mayor and City Council of the City of North Miami, Florida, on first reading this 23rd day of August, 2016.

PASSED AND ADOPTED by a 5 - 0 vote of the Mayor and City Council of the City of North Miami, Florida, on second reading this 13th day of September, 2016.



DR. SMITH JOSEPH
MAYOR

ATTEST:



MICHAEL A. ETIENNE, ESQ.
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:



JEFF P. H. CAZEAU, ESQ.
CITY ATTORNEY

SPONSORED BY: ADMINISTRATION

Moved by: Joseph

Sponsored by: Bien-Aime

Vote:

Mayor Smith Joseph, D.O., Pharm. D.
Vice Mayor Alix Desulme
Councilman Scott Galvin
Councilman Carol Keys, Esq.
Councilman Philippe Bien-Aime

<u>X</u>	(Yes)	_____	(No)
<u>X</u>	(Yes)	_____	(No)
<u>X</u>	(Yes)	_____	(No)
<u>X</u>	(Yes)	_____	(No)
<u>X</u>	(Yes)	_____	(No)

Additions shown by underlining. Deletions shown by ~~overstriking~~.