

CHAPTER 132
FORMERLY
HOUSE BILL NO. 216

AN ACT TO AMEND THE HOME RULE CHARTER OF THE CITY OF WILMINGTON RELATING TO CONTRACTS AND PROCUREMENT REQUIREMENTS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE (Two-thirds of all members elected to each house thereof concurring therein):

Section 1. Amend Section 8-200, Article VIII of the Charter of the City of Wilmington as follows:

Sec. 8-200. - Purchases and contracts generally.

(2) If any purchase or contract for which competitive bidding is required involves an expenditure of fifteen thousand dollars (\$15,000.00) or more but less than sixty thousand dollars (\$60,000.00), the procurement and records division shall obtain quotations from at least three (3) vendors or contractors for the items to be purchased or contract to be performed.

(3) If any purchase or contract for which competitive bidding is required involves an expenditure of sixty thousand dollars (\$60,000) or more but less than one hundred thousand dollars (\$100,000.00), the competitive bidding for such purchase or contract shall be conducted in accordance with such procedures as council by ordinance prescribes.

(4) If any purchase or contract for which competitive bidding is required involves an expenditure of one hundred thousand dollars (\$100,000.00) or more, the following procedure shall be applicable:

(a) The procurement and records division shall advertise for sealed bids at least once a week for two (2) weeks in one of the two (2) newspapers having the largest paid circulation in the city and in such other newspapers as it deems necessary. In addition to such newspaper advertising, the division may advertise for sealed bids at least once a week for two weeks by electronic publication on the city's website or other publicly accessible internet location. The division may require a certified check or a good and sufficient bid bond to the City of Wilmington, with corporate surety authorized to do business in the State of Delaware, the form of the bond and surety to be approved by the city solicitor, with a warrant of attorney to confess judgment thereon attached thereto in an appropriate amount which shall be stated in the specifications to accompany all bids unless a bidder has filed an annual bid bond in excess of such amount;

(6) A department, subject to the approval of the procurement and records division, may participate in, sponsor, conduct or administer a cooperative purchasing agreement for the procurement of goods or services with one or more public procurement agencies either within the State of Delaware or within another state in accordance with an agreement entered into between the participants.

Approved August 30, 2017