

An Ordinance to amend that section of the municipal Code entitled "fiscal management: contracts", to allow the governing body the authority to negotiate contracts, when fewer than two (2) bids are received for a project or when all bids exceed the estimated cost of the project.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF GOTHENBURG, NEBRASKA.

SECTION ONE. That Chapter 1, Article 8, Section 1-809 of the Municipal Code of Gothenburg, Nebraska, be amended to read as follows:

Fiscal Management; Contracts. The Governing Body shall, before entering into any contract for labor, materials, or any public improvement which exceeds five thousand (\$5,000.00) dollars in cash as estimated by the Municipal Engineer, advertise for bids once each week for three (3) consecutive weeks in a legal newspaper of general circulation in the Municipality, or post a printed or written copy thereof in each of three (3) public places in the Municipality; Provided that in the case of a public emergency which is a serious danger to life, health, or property, estimates of costs and advertising for bids may be waived in the emergency ordinance when adopted by three-fourths (3/4) vote of the governing body.

If after advertising for bids as provided in this Section, the Governing Body receives fewer than two (2) bids on a contract for any work or improvement, or if the bids received by the Governing Body contain a price which exceeds the estimated cost of the project, the Governing Body shall have the authority to negotiate a contract in an attempt to complete the proposed project at a cost commensurate with the estimate given.

If the materials are of such a nature that, in the opinion of the manufacturer and with the concurrence of the Governing Body, no cost can be estimated until the materials have been manufactured or assembled to the specific qualifications of the purchasing Municipality, the Governing Body may authorize the manufacture and assemblage of such materials and may thereafter approve the estimated cost expenditure when it is provided by the manufacturer. (Ref. 17-568.01, 17-613 RS Neb.)

SECTION TWO. That the original Section 1-809 and any ordinance passed and approved prior to the passage, approval, and publication or posting of this ordinance and in conflict with its provisions, is hereby repealed.

SECTION THREE. This ordinance shall take effect and be in full force from and after its passage, approval and publication or posting as required by law.

Passed and approved this 7th day of June 1977.

SEAL

ATTEST:

Marianne J. Jensen  
City Clerk

John D. Galt  
Mayor