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## **Sec. 2-369. Award of contract.**

All contracts, when the sum is equal to or less than the amount established in section 2-366 of this article for formal bids shall be awarded by the city manager, or his designee, to the lowest and best bidder. When the amount of a contract is in excess of the amount established by this article for formal bids, the city commission shall award the contract to the lowest and best bidder, or may delegate to the city manager the power to award such contract to the lowest and best bidder; however, the purchase of goods and services on a continuing basis from Miami-Dade County; from the School Board of Miami-Dade County; from the U.S. Communities Government Purchasing Alliance; from state or federal general services administration bid lists; or awards from cooperative alliances or public entities that have utilized a public procurement process may be approved by the city manager without any action by the city commission, even though the total cost of such goods and services may exceed the amount established in this article for formal bids; provided that prior to approval of such purchases, the city manager shall prepare, or cause to be prepared, a written analysis, in such form and manner as shall be determined by the city manager, which shall include a justification as to why it is in the city's best interest to purchase the goods and services on a continuing basis from the entities set forth in this section 2-369. In determining the lowest and best bidder, in addition to price, there shall be considered the following:

- (1) The ability, capacity and skill of the bidder to perform the contract.
- (2) Whether the bidder can perform the contract within the time specified, without delay or interference.
- (3) The character, integrity, reputation, judgment, experience and efficiency of the bidder.
- (4) The quality of performance of previous contracts.
- (5) The previous and existing compliance by the bidder with laws and ordinances relating to the contract.

(Code 1964, §§ 31A-12, 31A-19; Ord. No. 2001-3290, § 1, 1-31-01; Ord. No. 2003-3390, § 1, 2-5-03; Ord. No. 2004-3449, § 1, 6-9-04; Ord. No. 2014-3892, § 1, 9-17-14; Ord. No. 2019-4256, § 3, 4-10-19)