ORDINANCE NO: 502

AN ORDINANCE OF THE CITY OF TERRYTOWN, NEBRASKA, AMENDING THE MUNICIPAL CODE AT SECTION 1-615 REGARDING CONTRACTS AND PURCHASES; BIDDING AND OTHER REQUIREMENTS, REPEALING PRIOR SECTION 1-615 OF THE MUNICIPAL CODE AND PROVIDING FOR PUBLICATION IN PAMPHLET FORM AND PROVIDING FOR AN EFFECTIVE DATE.

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

Section 1: Section 1-615 of the Terrytown Municipal Code is amended in its entirety to provide as follows:

"SECTION 1-615: CONTRACTS AND PURCHASES; BIDDING AND OTHER REQUIREMENTS

A. Except as provided in Neb. Rev. Stat. §18-412.01 for a contract with a public power district to operate, renew, replace, or add to the electric distribution, transmission, or generation system of the city, no contract costing over $90,000.00 shall be made for enlargement or general improvements such as water extensions, sewers, public heating system, bridges, work on streets, or any other work or improvement when the cost of such enlargement or improvement is assessed to the property, unless it is first approved by the City Council.

B. Except as provided in Neb. Rev. Stat. §18-412.01, before the City Council makes any contract in excess of $90,000.00 for enlargement or general improvements, such as water extensions, sewers, public heating system, bridges, work on streets, or any other work or improvement when the cost of such enlargement or improvement is assessed to the property, an estimate of the cost shall be made by the city engineer and submitted to the council. In advertising for bids as provided herein, the council may publish the amount of the estimate.

C. Advertisements for bids shall be required for any contract costing over $90,000.00 entered into for enlargement or general improvements, such as water extensions, sewers, public heating system, bridges, work on streets, or any other work or improvement when the cost of such enlargement or improvement is assessed to the property or for the purchase of equipment used in the construction of such enlargement or general improvements.

D. The advertisement provided for in subsections (B) and (C) of this section shall be

published at least seven days prior to the bid closing in a legal newspaper published in or of general circulation in the city or, if no newspaper has general circulation in the city or county, by posting a written or printed copy thereof in each of three public places in the city at least seven days prior to the bid closing. In case of a public emergency resulting from infectious or contagious diseases, destructive windstorms, floods, snow, war, or an exigency or pressing necessity or unforeseen need calling for immediate action or remedy to prevent a serious loss of, or serious injury or damage to, life, health, or property, estimates of costs and advertising for bids may be waived in the emergency ordinance authorized by Neb. Rev. Stat. §17-613 when adopted by a three-fourths vote of the City Council and entered of record.

E. If, after advertising for bids as provided in this section, the City Council receives fewer than two bids on a contract or if the bids received by the council contain a price which exceeds the estimated cost, the council may negotiate a contract in an attempt to complete the proposed enlargement or general improvements at a cost commensurate with the estimate given.

F. If the materials are of such a nature that, in the opinion of the manufacturer and with the concurrence of the City Council, no cost can be estimated until the materials have been manufactured or assembled to the specific qualifications of the city, the council may authorize the manufacture and assemblage of such materials and may thereafter approve the estimated cost expenditure when it is provided by the manufacturer.

G. Any city bidding procedure may be waived by the City Council when materials or equipment are purchased at the same price and from the same seller as materials or equipment which have formerly been obtained pursuant to the state bidding procedure in Neb. Rev. Stat. §§81-145 to 81-162 or when the contract is negotiated directly with a sheltered workshop pursuant to Neb. Rev. Stat. §48-1503 or when required to comply with any federal grant, loan or program.

Section 2. Prior Section 1-615 of the Terrytown Municipal Code is hereby repealed; provided, however, this ordinance shall not be construed to affect any rights, liabilities, duties or causes of action, either criminal or civil, existing or pending at the time when this Ordinance becomes effective.

Section 3. This Ordinance shall become effective upon its passage and approval as provided by law, and publication shall be in pamphlet form.

PASSED AND APPROVED THIS 20th DAY OF August, 2026

Mayor, Chris Perales

Attest:

City Clerk, Jeni Mattern