

APPENDIX C

The formal bid process may be waived by the City Manager at the request of the Department Head if deemed in the best interest of the city.

3.13 Rejection of Bids

All bids may be rejected when one or more of the following occur:

- All bids exceed the budgeted amount;
- There are no responsible bidders;
- There are no responsive bidders;
- The project is abandoned; or
- The specifications, scope and/or terms and conditions need to be revised.

3.14 Protested Solicitations of Awards

A. Protest: Any actual or prospective bidder, contractor or vendor who is aggrieved in connection with the solicitation or award of a contract and purchase order may protest to the City Manager as set out in this Section. The protest shall be submitted in writing to the City Manager or his/her designated representative, within seven (7) working days after the aggrieved person knows or should have known of the facts giving rise thereto.

B. Authority: The City Manager as set out in the previous subsection shall have the authority to settle and resolve a protest of an aggrieved bidder, contractor or vendor, actual or prospective, concerning a solicitation or award of a contract. A written decision regarding the protest shall be rendered within thirty working days after the protest is filed. This authority shall be exercised in accordance with the City procurement rules and regulations set forth herein. After thirty days no decision is made, the written protest shall be forward to the City Attorney's office for resolution.

3.15 Local Vendor Preference

In the case that a local vendor, defined as a business located within the City limits of the Junction City, submits a written quotation or bid solicited for the purchase of goods or services, that vendor may receive a local vendor preference, and be awarded the contract in question, when all of the following criteria are met:

1. The goods or services quoted or bid by the local vendor meets or exceeds the specifications of the procurement;
2. The goods or services quoted or bid by the local vendor meets or exceed the quality and quantity of the product or service provided by the actual low bidder;
3. The actual quote or bid of the local vendor is within three percent (3%) of the actual low bid, and the local vendor agrees to modify his/her bid to match the actual low bid or quote; and
4. The local vendor meets the criteria specified in Section 3.09 to qualify as a responsible vendor.

No part of this Section shall be understood or interpreted to require the City to provide this preference, or to alter the right of the City to reject any and all bids.

3.16 Sole Source Purchase Determination

A. Sole source purchasing is when a written determination has been made by a Department Head and approved by the City Manager or City Commission, that there is only one source