

ORDINANCE RECORD

No. 728—REDFIELD & COMPANY INC., OMAHA

ORDINANCE NO. 1161

AN ORDINANCE OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA, TO AMEND THE LA VISTA MUNICIPAL CODE SECTION 35.03; TO REPEAL CONFLICTING ORDINANCES PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA:

SECTION 1. Section 35.03 of the La Vista Municipal Code is amended to read as follows:

§ 35.03 CONTRACT ADVERTISING.

(A) Before the City Council shall make any contract in excess of \$20,000~~00~~30,000 for general improvements, such as water extensions, sewers, public heating systems, bridges, work on streets or any other work or improvement where the cost of such improvement shall be assessed to the property, an estimate of the cost thereof shall be made by the City Engineer and submitted to the Council. No contract shall be entered into for any such work, improvement or enlargement of such an improvement, or for the purchase of equipment used in the construction of such enlargement or general improvement, for any price exceeding \$20,000~~00~~30,000 without advertising for bids. In advertising for bids for any such work, or for the purchase of such equipment, the Council may publish the amount of such estimate therewith. Such advertisement shall be published at least seven days in some newspaper of general circulation published in the city; provided, that in the 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 when adopted by a three-fourths vote of the Council and entered on record. If after advertising for bids as provided in this section, the City Council receives fewer than two bids on a contract for any work or improvement, or if the bids received by the city contain a price which exceeds the estimated cost of the project, the Mayor and City Council may negotiate a contract in an attempt to complete the proposed project at a cost commensurate with the estimate given.

(B) 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 City 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.

(C) Any city bidding procedure may be waived by the City Council:

(1) 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. RS 81-145 to 81-162; or

(2) When the contract is negotiated directly with a sheltered workshop pursuant to Neb. RS 48-1503; or

(3) When required to comply with any federal grant, loan, or program.
(79 Code, § 1-922) (Am. Ord. 263, passed 12-4-79; Am. Ord. 548, passed 6-16-92; Am. Ord. 692, passed 9-16-97)

Statutory reference:

Contract advertising requirements, see Neb. RS 16-321

Waiver of contract advertising requirements, see Neb. RS 16-321.01

SECTION 2. Repeal of Conflicting Ordinances. All ordinances and parts of ordinances as previously enacted that are in conflict with this Ordinance or any part hereof are hereby repealed.

SECTION 3. Severability. If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such unconstitutionality or invalidity shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Mayor and City Council of the City of La Vista hereby declare that it would have passed this Ordinance and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.

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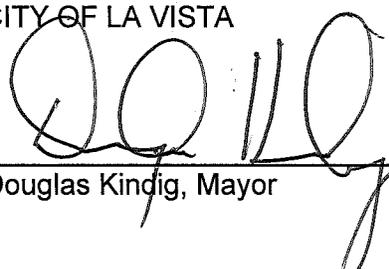
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SECTION 4. Effective Date. This Ordinance shall be in full force and effect from and after passage, approval and publication in pamphlet form as provided by law.

PASSED AND APPROVED THIS 17TH DAY OF JANUARY 2012.

CITY OF LA VISTA


Douglas Kindig, Mayor

ATTEST:



Pamela A. Buethe, CMC
City Clerk

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