

ORDINANCE NO. 1613-02-2026

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GAINESVILLE, TEXAS, AMENDING CHAPTER 2 – ADMINISTRATION, ARTICLE I – IN GENERAL, SECTION 2-7 – PURCHASING POLICIES AND PROCEDURES, SECTION (C) – BASIC PROCEDURES, SUBSECTION 3 – AUTHORIZATION TO PURCHASE AND SUBSECTION 4 – PRICE QUOTATIONS FROM VENDORS; PROVIDING FOR AN EFFECTIVE DATE; CONTAINING A SEVERABILITY CLAUSE AND MAKING AN OPEN MEETING FINDING.

WHEREAS, the 89th Texas Legislature approved Texas Senate Bill 1173, which increases the sealed bid process to one-hundred thousand dollars (\$100,000.00) during the 2025 Regular Session; and

WHEREAS, the new one hundred thousand-dollar (\$100,000.00) threshold for sealed bids took effect on September 1, 2025; and

WHEREAS, the Senate Bill 1173 modernized procurement rules, which were last updated in 2007, to account for inflation, providing more flexibility for small-scale purchases; and

WHEREAS, the City of Gainesville is adopting this modernized procurement rule to improve efficiency in its procurement policy.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GAINESVILLE, TEXAS:

SECTION ONE: Amending Chapter 2 – Administration, Article I – In General, Section 2-7 – Purchasing Policies and Procedures, Subsection 3 – Authorization to Purchase and Subsection 4 Price Quotations from Vendors

Chapter 2 – Administration, Article I – In General, Section 2-7 – Purchasing Policies and Procedures, Subsection 3 - Authorization to Purchase and Subsection 4 - Price Quotations from Vendors are amended to read as follows:

Sec. 2-7. Purchasing policies and procedures.

(3) *Authorization to purchase.*

- a. Department heads of the user department and the director of finance may approve purchases less than three thousand dollars (\$3,000.00).
- b. The director of finance shall approve purchases for amounts less than three thousand dollars (\$3,000.00).
- c. The director of finance and the city manager shall approve purchases in excess of three thousand dollars (\$3,000.00), but less than one-hundred thousand dollars

(\$100,000.00). Available and sufficient funding in the user department's budgetary authority shall be the basis for all purchases. No purchases shall be made without such available funds, except upon written authorization from the city manager, with designation of the available nondepartmental funds to be used for said purchase.

(4) *Price quotations from vendors.*

- a. In order to obtain the best merchandise at the least possible cost to the city, the procedures outlined below are recommended:
 1. Competitive bidding by vendors shall be encouraged in order to obtain the best merchandise at the least possible cost.
 2. Quantity discounts shall be utilized in order to obtain the least possible cost per unit for the purchases made by the city.
 3. Use of local vendors for purchases of materials and supplies is encouraged, provided prices quoted by local vendors are within acceptable limits (limits to be determined by state statute and the city manager). In order to promote price competition among local and nonlocal vendors, it is recommended that those local vendors with state purchasing contracts provide those contract prices to the city.
- b. User departments shall obtain competitive price quotations from vendors. The guidelines of this section recommend the user department obtain at least three (3) price quotations from vendors for all purchases in excess of three thousand dollars (\$3,000.00). Single supplier vendors should be duly noted by the user department.
- c. Purchases for less than three thousand dollars (\$3,000.00) may be obtained by verbal price quotations from vendors. Discretion is left to the user department as to whether written price quotations are requested from vendors for purchases less than three thousand dollars (\$3,000.00).
- d. Purchases for three thousand dollars (\$3,000.00) to ninety-nine thousand, nine-hundred ninety-nine dollars and ninety-nine cents (\$99,999.99):
 1. Shall be confirmed in writing by the vendor and the user department. Only written quotations will be considered. Documentation via e-mail or fax is permissible for this purpose.
 2. The city shall contact at least two (2) historically under-utilized businesses (HUBs) from Cooke County on a rotating basis before making purchase expenditures.

- e. Purchases of one-hundred thousand dollars (\$100,000.00) or more shall comply with state law procedures for competitive sealed bids or competitive sealed proposals and be awarded by the city council.
- f. All quoted prices or bids, whether oral or written, received from any vendor by a user department in accordance with subsection (c)(4) above, shall be recorded in writing by the user department on the appropriate forms and maintained in the user department for audit purposes. Purchases made through cooperative purchasing programs are permissible for the bid requirements; however, appropriate documentation shall be maintained.

SECTION TWO: SEVERABILITY

If any provision, section, sentence, clause, or phrase of this Ordinance, or the application of same to any person or set of circumstance, if for any reason held to be unconstitutional, void, or invalid (or for any reason unenforceable), the validity of the remaining portion of this Ordinance or its application to other person or sets of circumstances shall not be affected thereby, it being the intention of the City Council and of the Mayor of the City of Gainesville in adopting and approving this Ordinance, that no portion hereof or provision or regulation contained herein shall become inoperative or fail by any reason of any unconstitutionality or invalidity of any other portion, provision, or regulation.

SECTION THREE: EFFECTIVE DATE

This ordinance shall be effective upon passage and publication.

SECTION FOUR: OPEN MEETING FINDING

That it is hereby officially found and determined that the meeting at which this Ordinance is passed is open to the public as required by law and that public notice of the time, place, and purpose of said meeting was given as required.

INTRODUCTION, FIRST READING, CHARTER SUSPENSION

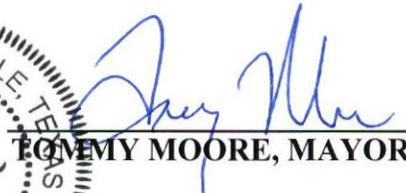
INTRODUCED AND READ FOR THE FIRST TIME BEFORE THE CITY COUNCIL OF THE CITY OF GAINESVILLE ON THE 17TH DAY OF FEBRUARY 2026, AT WHICH THE CHARTER PROVISION OF THE CITY OF GAINESVILLE REQUIRING THE READING OF THE ORDINANCE ON THREE SEPARATE OCCASIONS WAS SUSPENDED BY A VOTE:

6 AYES, 0 NAYS, 0 ABSENT, 0 ABSTENTIONS, 1 VACANCY

ATTEST:


DIANA LOCH, CITY SECRETARY




TOMMY MOORE, MAYOR

ADOPTION

ADOPTED IN REGULAR SESSION BY THE CITY COUNCIL OF THE CITY OF GAINESVILLE ON THE 17TH DAY OF FEBRUARY 2026 BY A VOTE OF:

 11 AYES, 0 NAYS, 0 ABSENT, 0 ABSTENTIONS, 1 VACANCY

ATTEST:



DIANA LOCH, CITY SECRETARY



TOMMY MOORE, MAYOR

