MINUTES

COUNCIL FINANCE, HUMAN RESOURCES and CITIZEN APPOINTMENT COMMITTEE

Monday, February 23, 2026 – 11:00am
City Hall Council Chambers

Members Present:	Dean Lytle, Chair Pamela Holder, Vice-Chair, Council Member Susan Miller, Citizen Member Maureen Copelof, Mayor, Ex-Officio
Staff Present:	Wilson Hooper, City Manager Dean Luebbe, Assistant City Manager/Finance Director Kelley Craig, Human Resources Director Emily Brewer, Senior Planner Shawnee Cummings, Assistant to the City Manager
Guests:	Harvey Sankey

A. Welcome & Call to Order

Committee Chair Lytle welcomed everyone and called the meeting to order at 11:01am.

B. Certification of Quorum

Assistant to the City Manager Shawnee Cummings certified that a quorum was present.

C. Approval of Agenda

Ms. Miller moved, seconded by Ms. Holder to approve the agenda as presented. The motion carried unanimously.

D. Approval of Minutes – November 24, 2025 Meeting

Ms. Holder moved, seconded by Ms. Miller to approve the minutes of the November 24, 2025 meeting as presented. The motion carried unanimously.

E. Vendors on City Property Update

1. Follow-up from November 24, 2025 Meeting

Mr. Hooper explained that the policy recommended by the old Committee members to Council, was referred back to this Committee with recommended changes. Ms. Brewer gave a brief recap of the old Committee's proposed policy and its rationale. After

receiving inquiries from vendors, staff brought this to the Committee in September 2025 to see if the Committee was interested in exploring vendors on city property and/or public rights of way. The Committee wanted to move forward with a policy for non-motorized vendors at specific City property locations and intended to address motorized vendors, such as food trucks, and vendors on public rights of way in the future. In November, a draft policy was brought to the Committee and it was recommended that the policy be brought to the Downtown Master Plan (DTMP) Committee. In December, the DTMP Committee recommended having a higher fee to be cognizant of brick-and-mortar businesses and not give non-motorized vendors an advantage. In January, the draft policy was brought to Council and they recommended considering a lower fee, additional locations, cart size, and the permit period.

There was a typo in the policy where it stated carts could be up to 5 square feet, which should have stated 25 square feet, as it is more in line with the average pushcart size.

Specific locations were previously designated and carts would not be allowed to obstruct any vehicle or pedestrian pathways. The locations were identified as high traffic areas that are not close to places where young children could be alone, such as playgrounds, and spaces where facility rentals would not conflict. Potential locations included Clemson Plaza, Franklin Pool, the dog park, and the sports complex.

Mayor Copelof asked why Silversteen Park was not included, to which Ms. Brewer stated that it was a location where young children may be alone. Mayor Copelof stated that if the children are that young, they should not be out by themselves and she does not understand the fear of children being by themselves. Ms. Brewer responded that having adults approach young children was a concern, but the proposal could be changed if the Committee would like. Ms. Holder stated that if there are young children at Silversteen Park, a vendor may bring parents out and to the park.

Mayor Copelof stated that the Depot was not included because it can be rented, but the parking lot cannot be rented. She then asked why they did not include a space in the parking lot? Ms. Brewer said the Committee could include a space, but that the initial exclusion was based on her rationale of minimizing conflicts and the guidance from the old Committee. Ms. Brewer noted that a common policy in other municipalities is that any vendor reservation is superseded by special events and that the vendor may not operate during those events. Ms. Holder stated that instead of excluding vendors due to a conflict, vendors could be invited to participate in City events, such as the Juneteenth event at Silversteen Park. Mayor Copelof added that it makes more sense to include the vendors than to exclude a location because of once-a-year events.

Mayor Copelof requested that the Depot parking lot be added to the list. She added that a benefit of this policy is allowing food options in parts of town where there are no other options. Mr. Hooper requested that if we add the Depot as a location, that the designated location be located on a part of the parking lot that the City owns. He explained that there is an unusual arrangement with the parking lot, where David Watson owns it but he gave the City the right of way to use it in perpetuity for the public

if the City paved it. Since the City paved the parking lot, the City has the right to use it, but the reason the location was initially excluded was due to the unique arrangement.

The fee of $400 for a 30-day permit was decided because it is comparable to reserving the Depot for a weekend. Ms. Brewer highlighted that most municipalities do not allow vending on City property outside of special events, limiting the available comparisons. For cities that do, the majority focus on public rights of way and not City property. Mayor Copelof stated that $400 is much higher than what other cities charge, which is $80-$150 annually. Ms. Holder stated that a $100 annual fee would be appropriate.

Ms. Brewer added that if we approach the permit with an annual term, it will be difficult for it to be spot-specific. If the permits were annual and spot-specific, it would allow someone to set up permanently for a year and establish a permanent land use. With an annual term, it would make more sense for the permit to be first-come-first-serve.

The Committee provided direction to make the permit $100, annual, and first-come-first-serve. The Committee also requested the inclusion of Silversteen Park and the Depot, and to allow multiple vendors at specific locations.

2. Consideration of Food Trucks

Ms. Brewer gave some guidance as to what our current regulations are. In the UDO, private property owners can establish a food truck site if it is a certain distance from the property line and buildings and does not obstruct any vehicular or pedestrian movement. The City does not permit the actual food truck, as that is handled by the Public Health Department, but the City will permit a food truck site for property owners. There are a few locations with electrical hook-ups in the downtown area that are for use during permitted special events, as food trucks in downtown cannot have generators due to it being a fire district.

Ms. Miller expressed concern about the proliferation of food trucks, as she thinks they are a mar on the landscape and too many of them is contrary to the goals of the City, which is to have a nice living space. Ms. Holder, who used to manage the food trucks in downtown Charlotte for the Chamber of Commerce, added that if we are to be a City of inclusivity, we do not want food trucks everywhere, but a couple in designated spots would allow the City to see how the public responds. If there is a positive response, it shows that it is helping someone's business and we are helping create income and jobs.

Additional considerations for food trucks were discussed, including generator noise, larger footprints, less space for the site's intended use, parking loss, and additional trash. Mr. Hooper recommended food trucks have separate, larger fees to account for the extra regulation and administration required, wear and tear on City property, and the opportunity cost of not using the property for its intended purpose.

Mr. Lytle asked about the possibility of piloting a location, to which Ms. Holder asked if that is what we are already doing with the Creekside vendor at the Depot? Mr. Hooper said yes, we are kind of piloting a food truck with the Creekside vendor. Creekside

obtains a special event permit quarterly and pays $200 per quarter, which is intended to cover City staff time, their use of City electricity at the Depot, and their use of the public restrooms. Their fee is a little different, but it is a pilot in the sense that they applied for a permit and are operating for a fixed period.

Mayor Copelof stated that she thinks the key locations would be at the sports complex and around Silversteen Park because of the lack of food options nearby.

Mr. Lytle asked how the days and hours would work, to which Ms. Brewer stated that currently, they can be present any day that the property owner allows and they can be there any time that the park is open. The Committee agreed that the only special events where a food truck could not be present is Juneteenth and Freedom Fest.

Mr. Hooper stated that what he is hearing is that the Committee is interested in piloting a food truck program at the sports complex and at Silversteen Park.

Ms. Miller stated that she is on board with non-motorized vendors but she does not support food trucks. If it comes back to this Committee, she will have to consider her vote. She is okay with a pilot program, as she sees it as a reasonable approach.

F. Purchasing Policy Update

The Committee reviewed and updated the City's Purchasing Policy (Attachment A) about 2 years ago and set some standards stricter than State requirements, particularly for larger projects. Staff have found a couple areas in the policy where the stricter standards require substantial amounts of staff time and inhibit efficiency. Mr. Hooper stated that staff are bringing the policy back to the Committee to reconsider some of the standards.

Mr. Luebbe explained page 5, section 2.10(B) requires recurring purchasing agreements over $10,000 to be reviewed at least every 3 years. Staff proposed a change from $10,000 to $25,000, as the State has no regulation on recurring purchasing agreements under $30,000. Mr. Luebbe stated that staff still plan to review contracts every 3 years. Mr. Luebbe also pointed out a small semantics change in 2.10(C).

The next change is to page 6, section 3.2(A), which states that for purchases between $5,000 and $9,999.99, it is encouraged that every attempt is made to acquire multiple quotes. The proposed change is to state that it is encouraged, but not required, to obtain multiple quotes. Mr. Luebbe said there are no State requirements for purchases under $10,000 and explained that sometimes it isn't possible to obtain 3 quotes for small purchases, either because it isn't worth the vendor's time to provide quotes for small items or the products are so specialized that there are not 3 vendors in the area.

The next change is to page 7, section 3.4(A), which states that for construction and repair contracts less than $29,999.99, the requester is required to receive at least 3 quotes. The proposed change is to change required to encouraged because staff have had difficulty getting quotes from 3 contractors for small projects.

The final change is to page 8, section 3.7(C), which identifies US Communities as a national program that allows local governments to piggyback on nationwide contracts. The proposed change would include Sourcewell, another national program. Mr. Hooper suggested a more general statement to encompass all other purchasing cooperatives.

Mr. Lytle asked under the current policy, if staff are unable to get 3 quotes, what is the consequence of that? Mr. Hooper answered that staff end up spending a lot of time attempting to obtain additional quotes when there may not be any, which may delay services and repairs. Staff then have to take the issue to management and show they have put in a good faith effort. Mr. Lytle stated that he has a hard time understanding the problem and asked if it is just an inconvenience for staff. Mr. Hooper stated the problem is the inconvenience and that in some markets, staff are unable to find additional quotes.

Mr. Hooper gave an example of replacing the garage doors at the public works facility. Public Works obtained a quote from a vendor and Mr. Hooper directed them to obtain additional quotes, which they struggled to find. After finally finding additional quotes, they were about 3 times as much as the first quote. Staff spent a lot of time complying with the policy and in the meantime, energy bills have been high because the doors were letting heat out and the facility was not secure because the doors did not lock.

Ms. Holder stated she does not want to remove the requirement and asked how often it occurs. Mr. Luebbe stated that it does not occur often. Ms. Holder added that if the requirement is removed, she believes it will be too easy to not comply. Ms. Holder stated that the policy ensures due diligence and avoids the appearance of a conflict of interest.

Mr. Luebbe asked if cases where 3 quotes could not be obtained should be brought to Council. Mr. Lytle said he does not think it needs to be brought to Council and asked why it couldn't be a management decision? Mr. Hooper responded that staff is essentially asking for it to be a management decision and that it be an encouraged guideline that allows for administrative flexibility to waive when needed. Ms. Miller stated that she supports having the requirement but staff should not have to waste time if it is impossible to comply with, especially given the dollar amount for 3.2(A). Ms. Miller said she doesn't want to remove the requirement from 3.4(A) because it's a higher amount.

The committee came to a consensus that the 3 quote requirement can be removed from 3.2(A) because of the low dollar amount, but for 3.4(A), keep the 3 quote requirement and add wording that makes it clear that management has the ability to use their discretion when there have been reasonable efforts to obtain 3 quotes. The committee also agreed with the changes to 2.10(B), 2.10(C), and 3.7(C).

G. TEA Appointment

The City has an appointment to the governing board of the Transylvania Economic Alliance (TEA) and a couple years ago, Al Platt was appointed to fill a term when someone resigned. Mr. Platt's term is coming to an end and he has expressed interest in

being reappointed. Mr. Hooper stated that it is being brought to this Committee to see if they would like to reappoint him or if they want Staff to open the position and recruit.

Mayor Copelof stated that she does not see why we would not open the position to see if anyone else is interested, as the Committee recruits for its other appointments. Ms. Miller asked if there are term limits. Mr. Hooper stated that if reappointed, this would be Mr. Platt's last term.

Mr. Lytle stated that from attending the meeting, he knows that the board is in the midst of negotiations related to economic development and that his only hesitation is because of how involved Mr. Platt is in the negotiations. Ms. Miller agreed that negotiations are tedious, time-consuming, and that it would take a lot to get a new person up to speed.

The Committee recommended opening the position to the public for anyone interested.

H. Public Comment

Harvey Sankey stated he agreed the TEA appointment should be opened up to interested applicants because it prevents people from saying that it was never opened. Related to the purchasing policy, Mr. Sankey asked if it would be beneficial to add a time limit that a person has to look for quotes? Mr. Hooper stated they already do that, but adding it to the policy would codify regular practices. Mr. Hooper stated he would think about it. Lastly, Mr. Sankey asked how the discussion on food trucks started? Mr. Hooper stated that staff received inquiries from the public and so he brought it to the Committee, as he did not know how Council felt about it.

I. Set Date for Next Meeting

The next regular meeting is scheduled for Monday, March 23, 2026 at 11am.

J. Adjourn

There being no further business, the meeting was adjourned at 12:35pm.

Minutes Approved: March 23, 2026

X _____
Dean Lytle, Chair, Council Member or
Pamela Holder, Vice Chair, Council Member

X Shawnee A. Cummings
Shawnee Cummings
Assistant to the City Manager

CITY OF BREVARD

PURCHASING POLICY

Purchasing Policy
Adopted by the City Council: XXXXXXX

I. FORWARD

This Purchasing policy and procedures manual is intended for use as a guide to the City of Brevard's Purchasing methods and practices. When used properly and with common sense, the policies and procedures established herein will enable the City to obtain needed materials, equipment, supplies, and services efficiently and economically.

The understanding and cooperation of all employees is essential if the City is to obtain the maximum value for each dollar spent. While this manual does not answer all questions related to Finance, it does provide the foundation for a sound purchasing and procurement system.

The goals of the City of Brevard purchasing program are as follows:

1. To comply with legal and ethical requirements of public purchasing and procurement.
2. To assure vendors and the public that impartial and equal treatment is afforded to all who wish to do business with the City.
3. To receive maximum value for each dollar spent by awarding purchase orders to the lowest responsible, responsive bidder.
4. To provide City departments with the required goods, equipment, and services at the time and place needed and in the proper quantity and quality.

If the procedures and guidelines established in this manual are followed, each department can efficiently manage, control and plan its' available resources to meet present and future department needs and help the City to meet these goals. Should you have any questions about this manual or its' procedures, please contact the Finance Department.

This manual is effective immediately upon issuance and supersedes all previous Finance instructions or directives.

II. GENERAL GUIDELINES

2.1 Incurring Obligations

No obligation may be incurred in a program, function, or activity accounted for in a fund included in the budget ordinance unless the budget ordinance includes an appropriation authorizing the obligation and an unencumbered balance remains in the appropriation sufficient to pay in the current fiscal year the sums obligated by the transaction for the current fiscal year. No obligation may be incurred for a capital project, or a grant project authorized by a project ordinance unless that project ordinance includes an appropriation authorizing the obligation and an unencumbered balance remains in the appropriation sufficient to pay the sums obligated by the transaction as required by N.C. G.S. 159-28 (a).

2.2 Preaudit Requirement

If an obligation is reduced to a written contract or written agreement requiring the payment of money or is evidenced by a written purchase order for supplies and materials, the written contract, agreement, or purchase order shall include on its face a certificate stating that the instrument has been pre-audited and shall be signed by the Finance Director to assure compliance with N.C.G.S §159-28 (a1).

2.3 Local Buying

It is the desire of the City of Brevard to contract with vendors and contractors located within the City of Brevard and Transylvania County. The City also has a responsibility to its residents to ensure that maximum value is obtained for each dollar spent. **The City will not make purchasing decisions solely on the basis of vendor residence.**

2.4 Planning

Planning should be done to minimize small orders and last-minute purchases. Approval of purchase orders will generally be made within two business days of submission.

2.5 Buying Proper Quality

Quality and service are as important as price when considering goods for purchase; it is the duty of the requesting department to secure the most cost-effective good or service that will meet but not exceed the requirements for which the goods or services are intended. In some instances, the lowest price does not necessarily mean the lowest cost. A higher price, higher quality product may save the City from excess expenses in the future. The requesting department should take this into consideration when making a purchase. However, when making a purchase of other than the lowest cost goods or services, the purchasing department should be prepared to justify such a purchase both to City administration and to the public based on standards directly related to the quality of the goods or service to be obtained, or the terms on which such goods or services are to be provided.

2.6 Authorization

The Department Head or their designee must authorize each invoice with signature and date before forwarding to the Finance Department for payment. This authorization verifies that the goods and or services have been received, the budgeted funds are available, and the invoice has been coded to the proper account number.

2.6 Standard of Award

Vendors will be selected on a competitive basis. Bid awards, purchase orders and/ or contracts will be issued to the lowest, responsive, responsible bidder. The City of Brevard is prohibited from and will not use vendors who have been debarred by Federal, State, or Local governments. Vendor verification can be made through SAM (System for Award Management) and the NC Debarred Vendor List, and any City list maintained by the Finance Department.

2.7 Limitations of Procurement

A. E-Verification Requirement

No contract can be entered into unless the contractor has complied with NC E-Verify hiring requirements pursuant to N.C. G.S. 143-133.3. Under the law the entity must possess 25 or more employees E-Verify to be applicable.

The following exceptions apply:

1. Expenses related to travel, including transportation and lodging, for employees, officers, agents, elected officials, or members of State or local boards, commissions, committees, or councils.
2. Contracts *solely* for the purchase of goods, apparatus, supplies, materials, or equipment (contracts that involve a combination of purchase and construction, or purchase and service would not be exempt).
3. Contracts let under N.C. G.S. 143–129(e)(1), (9), or (9a) (the exceptions to competitive bidding requirements for purchases made directly from another unit of government or from a vendor under contract with the State of North Carolina or a federal agency).
4. Contracts let under N.C. G.S. 143–129(g) (the piggyback exception to competitive bidding requirements).

B. Contracts spanning more than one City Fiscal Year

Under the Local Government Budget and Fiscal Control Act, all expenditures must be supported by an appropriation. In N.C. G.S. 159-28 (b), bills, invoices, or other claims against a local government or public authority may be approved if 1) the amount is determined to be payable and 2) the budget or project ordinance includes an appropriation authorizing the expenditure and either (i) an encumbrance has been previously created for the transaction or (ii) an unencumbered balance remains in the appropriation sufficient to pay the amount to be disbursed. Contracts, including purchase orders, must include a pre-audit certificate signed by the Finance Officer. Encumbrances include all outstanding purchase orders, unpaid invoices and agreements or contracts that have not been completed for which the City has an obligation to expend funds. Encumbrances against an appropriation are a reduction in the amount available for future expenditures, and only when the encumbrances are recorded is a true report of the financial condition of a department or City evident.

2.9 Vendor Selection

A. Vendor Section Policy

Vendors will be selected on a competitive basis. Depending on the amount of the purchase, formal bids, informal bids, or other forms of price solicitation will be requested by the appropriate department. Bid awards will be awarded to the lowest responsive, responsible bidder.

B. Vendor Set Up

Vendors will complete the vendor packet prior to being entered as a City of Brevard vendor. The vendor packet includes a W-9 form, a vendor registration form, and an insurance certificate (if required).

C. Gifts and Gratuities

City employees are expressly prohibited from soliciting or accepting any rebate, money or costly entertainment, alcohol, gift, or gratuity (with the exception of mementos and novelties of nominal value) from any person, company, firm, or corporation to which the City can potentially do business with. The City of Brevard will not tolerate circumstances that produce, or reasonably appear to produce, conflicts between the personal interest of an employee and the interests of the City.

D. Selection Procedures

For the procurement of supplies, materials, services, equipment, and for construction services, the Finance Department will observe the following procedures:

1. North Carolina General Statute 143-129, states that formal bids will be used for purchases over $90,000 and construction type services over $500,000. NCGS 143-129 further states that informal bids to be used on purchases over $30,000 but less than $90,000, and for construction type services over $30,000 but less than $500,000.

2. **The City of Brevard wishes to enact a stricter limit to both formal and informal bid amounts than those listed by N.C. G.S. 143-129.** Formal bids will be required on purchases of over $75,000 and construction type services of over $250,000. Informal bids will be required on purchases over $25,000 but less than $75,000, and construction type services over $30,000 but less than $250,000.

2.10 Finance Procedures

A. Capital Project Funds

All construction contracts within Capital Projects Funds will require City Council approval. Engineering contracts that are over 5% of the project budget or $50,000 (whichever is higher) will require City Council approval. The City Manager will notify City Council at least quarterly with a financial report concerning the status of capital projects.

B. Recurring Purchasing Agreements

Contracts and purchasing agreements of over ~~$10,000~~ $25,000 will be reviewed at least every three years, to ensure that the City continues to spend wisely. For contracts and purchasing agreements expected to exceed **$100,000**, the City will perform the review annually except for insurance, information technology services, or other agreements that would guarantee long-term savings which would be reviewed every three years.

C. City Manager Authority

The City Manager will have the authority to approve change orders, ~~as long as~~ provided the change order amount is within the overall Project budget. For change orders that exceed the overall Project budget, City Council approval will be required. **The City Manager retains the right to deviate from this policy, particularly in those situations involving critical timing issues. Whenever the City Manager deviates from any part of the purchasing policy the City Council will be notified in a timely manner.**

III. PROCUREMENT WITH THE USE OF NON-FEDERAL FUNDS

3.1 General Procurement Standards and Procedures:

All purchases $5000 and above require a requisition and purchase order (PO).

3.2 Purchase Procedures

A. Purchases between $5,000 and $9,999.99

Purchases in this price range may be obtained by the requesting department(s) through an informal quote process. No minimum number of quotes is required however, it is encouraged, but not required, that ~~every attempt is made to acquire~~ multiple quotes be obtained. The informal quotes may be received through verbal communications, email, or fax. Verbal quotes must be noted in typed or hand-written form documenting price, date quoted, name of vendor, and name of the individual representative of the vendor.

B. Purchases between $10,000 and $24,999.99

Purchases in this price range are obtained through the formal quote process. In the formal quote process, the requesting department is required to receive at least three (3) quotes via U.S. Mail, email, fax, or hand delivery.

C. Purchases between $25,000 and $74,999.99

Purchases in this range must be obtained through informal bids. Departments are responsible for sending a request for quote (RFQ) and will allow vendors sufficient time to respond to the request based on the complexity of the request. RFQs in the informal bid range may or may not be advertised to the public. A minimum of three (3) vendors, if available, will receive the RFQ. Every effort will be made to obtain at least three (3) quotes. Quotes in the informal bid range may be submitted through U.S. Mail, email, fax, or hand delivery. No verbal quotes are acceptable in the informal bid price range. The required three written informal bids are to be scanned and submitted with/ attached to the purchase requisition prior to purchase; after the purchase order is issued and approved, a purchase may be made. **Purchase orders in this range require the approval of the City Manager.**

D. Purchases $75,000 and above

Purchases in this range must be obtained through a formal bid process in accordance with Chapter 143, Article 8 of the North Carolina General Statutes. Departments are responsible for working with the Finance Director to develop the RFQ/RFP and act (including advertisement and bid opening) in compliance with the relevant North Carolina law. **Purchases in the formal range require the approval of the City Council. Alternatively, the City Council may delegate this authority to the City Manager for each fiscal year, with the delegated authority expiring at the end of that fiscal year, at which point the authority must be renewed by the City Council.**

3.3 Special Considerations for Construction or Repair

No contract may be divided for the purpose of avoiding bidding or notice requirements with the approval of the City Council granted pursuant to N.C. G.S. 143.133.

3.4 Construction and Non-Emergency Repair Procedures

The majority of construction type contracts will occur in Capital Project Funds. All construction type contracts in Capital Project Funds are required to be approved by City Council.

A. Construction and Repair less than $29,999.99

Construction and non-emergency repair contracts in this price range are obtained through the informal quote process. The requesting department is encouraged ~~required~~ to receive at least three (3) quotes. ~~via U.S. Mail, email, fax, or hand delivery.~~ The~~e required three written~~ quote(s) received are to be scanned and submitted with/ attached to a proposed contract prior to the entry of the contract. ~~Entry of the contract~~ The Finance Department may request additional quotes if deemed necessary during review of the purchase requisitions. **Formal recommendation of award will be made to City Manager for approval.**

B. Construction and Repair $30,000 to 249,999.99

For construction and non-emergency repair contracts in this price range are obtained through the informal quote process. The requesting department is required to receive at least three (3) quotes via U.S. Mail, email, fax, or hand delivery. The required three written quotes are to be scanned and submitted with/ attached to a proposed contract prior to the entry of the contract. Entry of the contract The Finance Department may request additional quotes if deemed necessary during review of the purchase requisitions. **Formal recommendation of award will be made to City Manager for approval.**

C. Construction and Repair $250,000 and above

For construction and non-emergency repair contracts in excess of $250,000 shall require City Manager review and assistance prior to procurement of the work or service. In order to contract for construction or non-emergency repair work in this range, formal bids must be obtained, after listing on the City's website and on appropriate project websites. A minimum of three (3) bidders, if available, will receive the request for bids in addition to the listing required above. N.C. G.S. 143-129 will be followed including advertisement and receipt of sealed bids. **Formal recommendation of award will be made to City Council for approval.**

3.5 Architectural, Engineering and Surveying Services

Procurement of architectural, engineering and surveying services shall be accomplished pursuant to Article 3D of Chapter 143 of the North Carolina General Statutes.

3.6 Services

Contracts directly authorized by the City Council through direct award or budget authorization may be executed by the City Manager. Subsequent orders changing the original contract, which do not exceed the approved cost of the contract, will be executed by the City Manager.

3.7 Special Procurement Procedures

A. Technology Goods and Services

All technology purchases require the approval of the Finance Director. This includes, but is not limited to; hardware, software, licensing, maintenance, and all technology related service contracts.

B. Items Not Requiring a Requisition or Purchase Order

1. Emergency Purchases – In cases of emergency, the City may purchase supplies or services whose immediate procurement is essential to prevent delays in work which may affect the life, health, or safety of City of Brevard employees or citizens.
2. Sole Source of Supply – In the event there is only one vendor capable of providing a product or service, the competitive pricing procedures outlined may be waived by the City Manager or Assistant City Manager/Finance Director. The requesting department will document why only one company or individual is capable of providing the good or service.
3. Purchase of Routine Services – Such as utilities, insurance, fuel, and other items that do not require the department to request this service each time it is purchased.

C. "Piggybacking" on Previously Bid Contracts:

There is a way to let other governmental units do the work for us: it is called "piggybacking" on their previously bid contracts. Many times, a vendor will sell to us under the same terms they agreed upon with another governmental unit – although this must first be confirmed. It is not necessary that the unit of government be in North Carolina or that North Carolina's statutory requirements be exactly followed, only that a reasonably similar public competitive bid process be performed.

There are some special requirements for this form of procurement N.C. G.S. 143-129(g):

1. The original contract must have been executed within the past twelve months (does not apply to NC statewide contracts discussed above).
2. The items being purchased must the identical to as specified in the original contract – no substitutions.
3. The City must verify that it likely will not be able to secure better terms from another vendor or through another procurement method; this can be done through some informal research, documentation of which should be attached to the requisition.
4. Contracts made under this exception must be approved by the City Council at a regularly scheduled meeting; notice of intent to award the contract without bidding must be published no less than ten days prior to the meeting. (Does not apply to NC statewide contracts discussed above.)

In addition to contacting various nearby units of local government, there is also a national program to facilitate "piggybacking." Programs such as, US Communities and Sourcewell enable~~s~~ ~~u~~s the City to piggyback on nationwide contracts for a number of goods that are commonly used by municipal governments. Because these contracts were negotiated as large-volume purchases, we gain the benefit of higher negotiating leverage than we would have on our own.

US Communities: http://www.uscommunities.org/

IV. PROCUREMENT WITH THE USE OF FEDERAL FUNDS

Contracts funded with federal grant or loan proceeds must be procured in a manner that conforms with all applicable Federal laws, policies, and standards, including those under the Uniform Guidance (2 C.F.R. Part 200), to the extent the standards do not violate state law.

Further information on dollar thresholds can be found here:
http://www.sog.unc.edu/sites/www.sog.unc.edu/files/Dollar%20Thresholds%20Chart%202013.pdf

The State of North Carolina Interactive Purchasing System can be found on the web at
www.ips.state.nc.us/ips/Default.aspx.

The North Carolina E-Procurement System can be found on the web at
http://eprocurement.nc.gov/

CFR-Code of Federal Regulations
http://www.ecfr.gov/cgi-bin/text-idx?SID=889c09dd91de78500ad88b2f32662996&mc=true&node=sg2.1.200_1316.sg3&rgn=div7

Exceptions to State Competitive Bidding Requirements
https://www.sog.unc.edu/sites/www.sog.unc.edu/files/additional_files/Competitive%20bidding%20exceptions%20chart.pdf

Federal System for Award Management (SAM)
https://www.sam.gov/portal/SAM/?portal:componentId=24f38525-a064-4a77-b09f-3fa5986c2b48&interactionstate=JBPNS_rO0ABXc0ABBfanNmQnJpZGdlVmlld0lkAAAAAQATL2pzZi9uYXZpZ2F0aW9uLmpzcAAHX19FT0ZfXw**&portal:type=action##11

NC Debarred Vendor List
https://ncadmin.nc.gov/government-agencies/procurement/contracts/debarred-vendor