

ORDINANCE NO. 13-26

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE CITY OF DELRAY BEACH, TITLE III, "ADMINISTRATION," CHAPTER 36, "ACQUISITION OF GOODS AND SERVICES AND DISPOSAL OF CITY PROPERTY", SECTION 36.02, "COMMISSION APPROVAL REQUIRED", TO INCREASE THE THRESHOLD FOR CITY COMMISSION APPROVAL OF ACQUISITIONS FROM \$65,000 TO \$100,000; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AUTHORITY TO CODIFY, PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

WHEREAS, in 2017, the City Commission adopted Ordinance No. 21-17, establishing the City's Purchasing Policies and Procedures Manual (the "PPPM"); and

WHEREAS, the PPPM provides a basic set of guidelines setting forth the procurement policies of the City of Delray Beach for the benefit of City departments, other governmental entities, and the vendor community; and

WHEREAS, the City Commission of the City of Delray Beach recently approved updates to the PPPM on January 20, 2026; and

WHEREAS, as part of the edits to the PPPM, the City Commission increased the threshold for the acquisition of goods and services requiring City Commission approval from \$65,000 to \$100,000 for acquisitions; and

WHEREAS, to implement the recently approved edits to the PPPM, it is necessary to adopt an ordinance amending the City's Code of Ordinances.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AS FOLLOWS:

Section 1. The recitations set forth above are incorporated herein.

Section 2. Title III, "Administration," Chapter 36, "Acquisition of Goods and Services and Disposal of City Property", Section 36.02, "Commission Approval Required", of the Code of Ordinances of the City of Delray Beach, Florida, is hereby amended to read as follows:

Sec. 36.02. – COMMISSION APPROVAL REQUIRED.

~~Acquisitions greater than sixty five thousand dollars (\$65,000.00) shall be awarded by competitive sealed bid, or such other method as permitted by Florida law, and such threshold shall automatically be adjusted to be consistent with the category three (3) purchasing threshold set forth at F.S. § 287.01,~~

~~as may be amended from time to time.~~ Acquisitions in an amount less than or equal to ~~sixty-five~~ one hundred thousand dollars (\$~~65~~100,000.00) may be approved ~~by~~ the City Manager, or designee. Acquisitions greater than ~~sixty-five~~ one hundred thousand dollars (\$~~65~~100,000.00) shall be approved by the City Commission. City Commission approval is not required for payment of invoices for professional services, the acquisition or retention of which previously received City Commission approval.

Section 3. All ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed.

Section 4. Should any section or provision of this Ordinance or any portion thereof, any paragraph, sentence, or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder hereof as a whole or part thereof other than the part declared to be invalid.

Section 5. Specific authority is hereby given to codify this Ordinance.

Section 6. This Ordinance shall become effective immediately upon its passage on second and final reading.

PASSED AND ADOPTED in regular session on second and final reading on this the ____ day of _____, 2026.

ATTEST:

Alexis Givings, City Clerk

Thomas F. Carney, Jr., Mayor

First Reading _____

Second Reading _____

Approved as to form and legal sufficiency:

Lynn Gelin, City Attorney