



SPONSOR: Rep. Keeley & Sen. Henry & Sen. McDowell
Reps. Bolden, Brady, J. Johnson, Mitchell, Potter; Sen.
Marshall

HOUSE OF REPRESENTATIVES
149th GENERAL ASSEMBLY

HOUSE BILL NO. 216

AN ACT TO AMEND THE HOME RULE CHARTER OF THE CITY OF WILMINGTON RELATING TO
CONTRACTS AND PROCUREMENT REQUIREMENTS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE (Two-thirds of all members
elected to each house thereof concurring therein):

1 Section 1. Amend Section 8-200, Article VIII of the Charter of the City of Wilmington by making deletions as
2 shown by strike through and insertions as shown by underline as follows:

3 Sec. 8-200. - Purchases and contracts generally.

4 (2) If any purchase or contract for which competitive bidding is required involves an expenditure of ~~five-fifteen~~
5 thousand dollars ~~(\$5,000.00)~~ (\$15,000.00) or more but less than ~~twenty-five~~ sixty thousand dollars ~~(\$25,000.00)~~
6 (\$60,000.00), the procurement and records division shall obtain quotations from at least three (3) vendors or contractors for
7 the items to be purchased or contract to be performed.

8 (3) If any purchase or contract for which competitive bidding is required involves an expenditure of ~~twenty-five~~
9 sixty thousand dollars ~~(\$25,000.00)~~ (\$60,000) or more but less than one hundred thousand dollars (\$100,000.00), the
10 competitive bidding for such purchase or contract shall be conducted in accordance with such procedures as council by
11 ordinance prescribes.

12 (4) If any purchase or contract for which competitive bidding is required involves an expenditure of one hundred
13 thousand dollars (\$100,000.00) or more, the following procedure shall be applicable:

14 (a) The procurement and records division shall advertise for sealed bids at least once a week for two (2) weeks
15 in one of the two (2) newspapers having the largest paid circulation in the city and in such other newspapers as it
16 deems necessary. In addition to such newspaper advertising, the division may advertise for sealed bids at least once a
17 week for two weeks by electronic publication on the city's website or other publicly accessible internet location. The
18 division may require a certified check or a good and sufficient bid bond to the City of Wilmington, with corporate
19 surety authorized to do business in the State of Delaware, the form of the bond and surety to be approved by the city
20 solicitor, with a warrant of attorney to confess judgment thereon attached thereto in an appropriate amount which shall

21 be stated in the specifications to accompany all bids unless a bidder has filed an annual bid bond in excess of such
22 amount;

23 (6) A department, subject to the approval of the procurement and records division, may participate in, sponsor,
24 conduct or administer a cooperative purchasing agreement for the procurement of goods or services with one or more
25 public procurement agencies either within the State of Delaware or within another state in accordance with an agreement
26 entered into between the participants.

SYNOPSIS

This amendment to Section 8-200 of the Charter of the City of Wilmington raises some of the threshold amounts for bid requirements in the procurement process. The purpose of the amendment is to improve City of Wilmington procurement procedures, increase public access to City of Wilmington contracting opportunities through the authorization of internet advertising, and authorize the City of Wilmington to participate in cooperative purchasing agreements with other public procurement agencies.