

**A SPECIAL EMERGENCY ORDINANCE OF THE CITY OF NEVADA, MISSOURI,
ESTABLISHING PROTEST PROCEDURES CONCERNING THE SOLICITATIONS OR
CONTRACT AWARDS FOR CONSTRUCTION IN THE CITY OF NEVADA**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NEVADA, MISSOURI,
THAT:**

Section 1. The City Council of the City of Nevada does hereby establish the following procedures for prompt consideration of initial protests filed by contractors or subcontractors concerning the solicitations or contract awards for construction in the City of Nevada.

Section 2. A protest is a written complaint concerning the City of Nevada's solicitation or award of a sub-agreement or contract which must be filed in writing with the City Clerk of the City of Nevada by a party with a direct financial interest adversely affected by the City of Nevada procurement action for construction.

Section 3. A party with a financial interest which believes it is adversely affected by a procurement action by the City of Nevada must file a written protest stating the basis for said protest with the City Clerk of the City of Nevada as early in the procurement process as possible. A protest must be received by the City Clerk within (7) days after the basis for the protest is known or reasonably should have been known. The City Attorney, upon receipt of said protest, shall hold a hearing as soon as reasonably possible or proper, and legal notification shall be made to the party with the financial interest which is allegedly adversely affected by the action of the City of Nevada. The notification shall state that said protestant shall be accorded a complete hearing and shall have the right to adduce evidence, both verbal and documentary, to the City Attorney, and upon conclusion of the hearing and the evidence adduced as submitted, the City Council shall announce and issue the City's written decision and order making disposition of the issues raised in said protest. A written copy of the decision of the City Council shall be served upon the protestant within (7) days after the hearing.

Section 4. The provisions of this ordinance shall be incorporated in any solicitations, contract awards, or sub-agreements entered into by the City of Nevada.

Section 5. The provision of this ordinance are severable and if any provision or part hereof shall be held invalid or unconstitutional or inapplicable to any person or circumstance, such invalidity, unconstitutionality or inapplicability shall not affect or impair the remaining provisions of this ordinance.

Section 6. Emergency Ordinance. This ordinance in the judgment of the City Council, is deemed to be of an urgent nature and its immediate passage is necessary to allow the City to proceed with the Camp Clark Sewer project timeline.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Nevada,
Missouri this 2nd day of May 2024.





GEORGE C. KNOX, MAYOR

ATTEST:



CYNTHIA DYE, CITY CLERK