

RESOLUTION 2019-132

A RESOLUTION AUTHORIZING THE USE OF THE COMPETITIVE SEALED PROPOSAL PROCUREMENT METHOD FOR THE PERFORMANCE OF THE ANNUAL FINANCIAL AND COMPLIANCE AUDIT OF (1) THE CITY OF FRANKLIN AND (2) THE COOL SPRINGS CONFERENCE CENTER IN ACCORDANCE WITH THE LAWS AND REQUIREMENTS OF THE STATE OF TENNESSEE.

WHEREAS, pursuant to Tenn. Code Ann. § 12-3-1207 the City may use competitive sealed proposals rather than competitive sealed bids when the City adopts a process for the use of competitive sealed proposals and determines that the use of competitive sealed bidding is either not practicable or not advantageous to the City; and

WHEREAS, the City passed Ordinance 2019-24 on August 13, 2019, authorizing the use of the competitive sealed proposal procurement method; and

WHEREAS, should the City choose to pursue conducting its own competitive process for establishing the basis of pricing pursuant to sealed submittals and published legal notice, then City staff requests authority to use the competitive sealed proposal procurement method for determining which service providers to recommend for award of the performance of the annual financial and compliance audit of (1) the City of Franklin and (2) the Cool Springs Conference Center; and

WHEREAS, Tenn. Code Ann. § 12-4-106 does not allow municipalities and other municipal and public corporations of this state to award audit contracts based on competitive bids, requiring instead that audit contracts are to be awarded based on recognized competence and integrity and allowing interviews to be conducted to determine the capabilities of eligible persons or groups; and

WHEREAS, the State of Tennessee Comptroller's Office encourages all organizations to require audit firms to prepare and submit a proposal that allows the organization to evaluate whether an audit firm possesses the necessary capabilities to conduct an audit of the organization; and

WHEREAS, the Board of Mayor and Aldermen find that the use of the competitive sealed proposal procurement method is advantageous to the City because qualifications, experience, and competence are more important than price and the competitive sealed proposal procurement method will assist in choosing the best solution and service provider(s).

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF FRANKLIN, TENNESSEE, AS FOLLOWS:

Should the City choose to pursue conducting its own competitive process for establishing the basis of pricing pursuant to sealed submittals and published legal notice, then the City is authorized to use the competitive sealed proposal procurement method pursuant to the standards set forth in Municipal Code § 5-504 for determining which service provider(s) to recommend for award of the performance of the annual financial and compliance audit of (1) the City of Franklin and (2) the Cool Springs Conference Center because qualifications, experience, and competence are more important than price and the competitive sealed proposal method will assist in choosing the best service provider(s).

IT IS SO RESOLVED AND DONE on this ____ day of _____, 2020.

ATTEST:

By: _____

Eric S. Stuckey
City Administrator

Approved as to Form:

By: _____

Maricruz R. Fincher
Staff Attorney

CITY OF FRANKLIN, TENNESSEE:

By: _____

Dr. Ken Moore
Mayor