

Topek

public improvement, and any street, highway or public grounds, or of any public building or facility, or any other kind of public improvement in the city shall be commenced or ordered by the governing body, or under its authority, the city engineer or some other competent person appointed for such purposes by the governing body shall submit a project budget showing the anticipated amount to be spent for construction, engineering, right-of-way, legal fees, administrative expenses, and any other expenses requested by the governing body. No project shall be authorized until after the city commission [council] first shall have approved the project budget. Once a project budget has been approved, it cannot be exceeded under any circumstances, nor shall the city be liable for any engineering fees or any other expense incurred in excess of those authorized by the adopted budget unless an amended project budget first has been submitted [to] and approved by the city commission [council]. (C.O. No. 17, § 11, 1-30-71; C.O. No. 24, § 2, 8-24-73)

**Sec. A12-26. Sealed proposals.**

In all cases where the estimated cost of the completed building, facility or public improvement amounts to more than \$6,000.00, sealed proposals for the building or construction thereof shall be invited by advertisement, published by the city clerk in the official city newspaper for at least one day; provided however, that emergency repairs to streets, bridges, sidewalks or public buildings or facilities necessary to protect the health and welfare of the public may be let without competitive bidding, provided that all other requirements of this charter ordinance [article] shall first be complied with. (C.O. No. 17, § 12, 1-30-71; C.O. No. 78, § 1, 12-1-92)

**Sec. A12-27. Detailed engineer's estimate of construction cost to be compared with bids.**

A detailed engineer's estimate of the construction cost of the project, given under oath, shall be submitted to the purchasing division. The contract shall be let to the lowest responsible bidder, if any, whose bid does not exceed the estimate, taking into consideration conformity with the specifications, terms of delivery and other conditions imposed in the invitation for bids. (C.O. No. 17, § 13, 1-30-71; Ord. No. 79, § 1, 12-1-92)

**Sec. A12-28. Reexamination of estimate; negotiation without bids.**

In the event no bid is received below the engineer's estimate, or if no responsible person shall propose to enter into the contract at a price not exceeding the estimated cost, the engineer shall be authorized to reexamine his estimate. If in the opinion of the city engineer there is no public benefit achieved by rebidding the contract, then the city engineer is authorized to negotiate the contract without rebidding. If in the opinion of the city engineer there is public benefit achieved by revising the engineer's estimate and rebidding the contract, then the city engineer shall revise or cause to be revised the engineer's estimate and the contract shall be rebid. (C.O. No. 17, § 14, 1-30-71; C.O. No. 45, § 1, 8-6-78; C.O. No. 80, § 1, 12-1-92)

**Sec. A12-29. Money to be available prior to commencement of work.**

Before any type of public improvements shall be commenced, the money to pay for the same must be available in the city treasury as provided by law; or provision may be made for the issuance of internal improvement bonds to pay for any such improvement as provided by law; provided, that this ordinance shall not be construed to include any repair or maintenance work not amounting to substantial alteration, addition or change in any structure, street or facility; and "public improvement" as used herein shall not include the making