

## **TOWN OF WINDSOR AGENDA REPORT**

**Joint Windsor Town Council, Windsor Redevelopment Successor Agency and Windsor Water District Meeting Date:** May 20, 2026

**To:** Mayor and Town Council  
**From:** Lauren Berges, Senior Management Analyst  
Nick Walker, Administrative Services Director  
**Subject:** Introduction of an Ordinance Repealing and Updating the Town of Windsor's Purchasing Policies and Procedures

**Recommendation to Council:**

Introduce and hold first reading, by title only, an ordinance repealing the existing Town of Windsor Municipal Code Title 1, Chapter 6, Article 1 in its entirety and replacing with new Purchasing Ordinance Sections 1-6-100 through 1-6-145.

**Strategic Plan Element:**

The recommended action supports the goal of Fiscal Health. Goal Statement: Ensure the economic health and long-term financial viability of the Town.

**Background:**

The Town of Windsor's current purchasing ordinance was originally adopted in 1993 and has been amended periodically through 2018. While it remains functional, the ordinance is now outdated, internally inconsistent, and misaligned with current operational practices, state law, and modern procurement standards. The existing code relies on obsolete dollar thresholds, contains duplicative and sometimes conflicting provisions, and codifies detailed administrative procedures that would be more appropriately maintained outside of the municipal code. It also includes an extensive "Environmentally Preferable Purchasing" article that no longer aligns with current state and federal mandates. In addition, the ordinance does not reflect the Town's current organizational structure or delegated authority, and it separates public works contracting requirements into a different article with inconsistent cross-references.

The Town's transition to a new enterprise resource planning (ERP) system, scheduled to go live on July 1, 2026, further underscores the need to modernize the purchasing ordinance. The new system will standardize and automate procurement workflows, strengthen internal controls, and improve transparency and reporting capabilities. Aligning the ordinance and associated policies with the ERP implementation will ensure that the Town's regulatory framework supports these updated processes, reduces administrative inefficiencies, and provides clear, consistent guidance to staff operating within the new system.

**Discussion:**

The proposed ordinance is intended to modernize and reorganize the Town's purchasing framework, establishing a clearer, more efficient, and legally compliant system. The current ordinance, originally adopted in 1993, includes outdated dollar thresholds, fragmented and sometimes inconsistent provisions, and detailed administrative procedures that no longer reflect current practices or applicable

state and federal requirements. In contrast, the proposed ordinance replaces this structure with a streamlined, logically organized chapter that aligns with contemporary procurement standards and the Town's operational needs.

The ordinance begins by updating and expanding the definitions section to reflect modern procurement terminology and ensure consistency with the Public Contract Code and federal Uniform Guidance. Terms such as "responsive bid," "responsible bidder," "sole source," "approved project," and "change order" are now clearly defined, reducing ambiguity and supporting consistent application across departments.

The ordinance also clarifies and redistributes purchasing authority. Under the new framework, the Town Manager or designee serves as the Purchasing Officer with broad oversight responsibilities, while department heads are authorized to approve purchases up to \$25,000 and delegated staff up to \$3,500. The Administrative Services Director's role is also clarified, particularly regarding invoice processing, payment controls, and verification of contract validity. This structure supports Windsor's decentralized purchasing while maintaining strong financial oversight.

Purchasing procedures and thresholds have been modernized to reflect current operational realities. The ordinance establishes clear rules for purchase orders, encumbrances, cumulative spending, and multi-year contract valuation. These provisions strengthen internal controls, prevent bid splitting, and ensure that purchasing authority is applied consistently.

Competitive bidding procedures have been comprehensively updated. Informal bidding is required for purchases up to \$50,000, while formal bidding applies to purchases above that threshold. The ordinance provides detailed requirements for notices, bid deposits, public openings, evaluation, and award, ensuring transparency and fairness. The Town Council retains authority to reject bids and award contracts to the lowest responsive and responsible bidder.

For the first time, the ordinance codifies clear change order authority. The Purchasing Officer may approve change orders within the council approved contingency; department directors may approve change orders up to \$25,000; and delegated staff may approve change orders up to \$3,500. All approvals must remain within the project's budgeted contingency. This structure provides consistency and accountability in contract administration.

The ordinance consolidates and clarifies exceptions to competitive bidding, including professional services, specialized services tied to equipment, sole source procurements, emergencies, cooperative purchasing, leases, used items, and public projects. These exceptions are now aligned with state law, including the Qualifications Based Selection requirements for architectural and engineering services under Government Code Section 4525 et seq.

Town's municipal code has not previously addressed emergency purchasing authority in a comprehensive way. Recent events, including the Kincade Fire and other regional emergencies, highlighted the need for clear, codified procedures that allow the Town to act quickly when public health, safety, or essential operations are at risk. Under the new ordinance, the Town Manager is authorized to make emergency purchases or enter into contracts up to \$100,000 when immediate action is required, with a requirement to report such actions to the Town Council at its next regular meeting. This new framework ensures that the Town can respond rapidly and effectively during emergencies while maintaining transparency, accountability, and alignment with the Public Contract Code's emergency contracting provisions.

Public projects and public works contracting procedures have been fully updated to reflect the Uniform Public Construction Cost Accounting Act (CUPCCAA). The ordinance consolidates informal and formal bidding requirements, force account thresholds, contractor lists, notice requirements, emergency contracting authority, and design build provisions. This ensures full compliance with the Public Contract Code and provides a clear, centralized reference for public works contracting.

The ordinance also replaces the Town's extensive Environmentally Preferable Purchasing Requirements with a concise provision requiring compliance with applicable state and federal environmental procurement laws. The detailed environmental purchasing standards previously codified will instead be implemented through an administrative policy adopted by the Town Manager, allowing for flexibility and alignment with evolving state mandates.

Finally, the ordinance adds a new section requiring compliance with federal procurement requirements for purchases funded in whole or in part with federal grant funds. This ensures alignment with the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (2 CFR Part 200), supporting grant eligibility and audit compliance.

**Fiscal Impact:**

There is no fiscal impact associated with the recommended action.

**Environmental Review:**

The recommended action does not constitute a "project" within the meaning of California Environmental Quality Act (CEQA) Guidelines Section 15378 and requires no environmental review.

**Attachment(s):**

[1. Ordinance](#)

[14.2 PowerPoint \(Distributed 2026.05.19\)](#)

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**Approved by:**

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