



Metropolitan Nashville and Davidson County, TN

Legislation Details (With Text)

File #: BL2020-423 **Name:**

Type: Bill (Ordinance) **Status:** Passed

File created: 9/10/2020 **In control:** Metropolitan Council

On agenda: 10/6/2020 **Final action:** 10/6/2020

Title: An ordinance to amend Section 4.36.020 of the Metropolitan Code of Laws regarding suspension or debarment.

Sponsors: Zulfat Suara, Angie Henderson, Kyonzte Toombs

Indexes:

Code sections:

Attachments: 1. BL2020-423 Ordinance - Suara - Public debarment and suspension list, 2. Ordinance - Suara - Public debarment and suspension list

Date	Ver.	Action By	Action	Result
10/7/2020	1	Mayor	approved	
10/6/2020	1	Metropolitan Council	passed on third reading	Pass
9/15/2020	1	Metropolitan Council	passed on second reading	
9/15/2020	1	Budget and Finance Committee	approved	
9/1/2020	1	Metropolitan Council	passed on first reading	

An ordinance to amend Section 4.36.020 of the Metropolitan Code of Laws regarding suspension or debarment.
 BE IT ENACTED BY THE METROPOLITAN COUNCIL OF NASHVILLE & DAVIDSON COUNTY: Section 1. That Section 4.36.020 of the Metropolitan Code of Laws is hereby amended by adding the following as a new subsection F: F. Public List. When a person is suspended or debarred under this section, their name shall be added to a publicly available list of debarred or suspended persons. This list shall be available online and be updated whenever a person is debarred, suspended, or no longer subject to debarment or suspension. Section 2. This ordinance shall take effect from and after its enactment, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

..agenda analysis

This ordinance amends Section 4.36.020 of the Metro Code regarding suspension or debarment of a person under the Procurement Code. Suspension and debarment are two remedies in the Procurement Code for a contractor’s failure to follow the terms of the contract and/or applicable laws. After providing reasonable notice and an opportunity to be heard, the Purchasing Agent, upon consultation with the using agency and the Director of Law, has the authority to debar a contractor for cause from consideration for award of contracts. The debarment cannot be for a period of more than three years. As an alternative to debarment, the Purchasing Agent may suspend a contractor from consideration for award of contracts for up to three months if there is probable cause for debarment. The authority to debar or suspend must be exercised in accordance with regulations promulgated by the Procurement Standards Board.

This ordinance would create a public list, available online, of persons suspended or debarred under Section 4.36.020. This would be updated whenever a person is debarred, suspended, or no longer subject to debarment or suspension.