

9.7 Public Opening and Announcement

9.7 Public Opening and Announcement. All formal bids must be sealed and will be publicly opened on the scheduled date and time. The name of each bidder, bid price, and such other information, as deemed appropriate by the Purchasing Agent, will be read aloud and recorded at the bid opening. Unless otherwise stated in the solicitation, informal bids for less than \$50,000, and one year or less in term of service, are opened (not publicly) in the purchasing department at 11:00 a.m. on the date specified in the solicitation, and bids for \$50,000 or more, or with a term of service of more than one year, are publicly opened and announced in the City Council Chambers at 12:00 noon on the date specified in the solicitation. At the bid opening session, bidders are allowed to view and record submitted formal bids.

Proposals will not be opened publicly but will be opened in the presence of two (2) or more employees of the purchasing department or the division responsible for receipt of the proposals. The proposals will be opened in a manner that avoids disclosure of contents to competing proposers during the negotiation.⁶⁹

In the event of an emergency situation and the above Public Opening and Announcement policy and practice are not reasonable to use under the circumstance, as determined by the Mayor, said policy and practice shall be modified as follows:

Bids / Proposals will not be opened publicly but will be opened in the presence of two (2) or more employees of the purchasing department or the division responsible for receipt of the bids / proposals. The name of each bidder / proposer, bid / proposed price, and such other information, as deemed appropriate by the Purchasing Agent, will be read aloud and recorded at the bid / proposal opening. Said information shall be transcribed and made available on the City of Memphis' website.

⁶⁹ See Tenn. Code Ann. § 12-3-1207(f).