



# SEATTLE CITY COUNCIL

## Legislative Summary

CB 119642

Record No.: CB 119642

Type: Ordinance (Ord)

Status: Passed

Version: 2

Ord. no: Ord 125920

In Control: City Clerk

File Created: 08/01/2019

Final Action: 09/20/2019

**Title:** AN ORDINANCE relating to City emergency purchases of goods and services; emergency consultant contracts; and emergency public works contracting; amending Section 10.02.070 of the Seattle Municipal Code to align with current practices and the procedures in subsections 3.39.020.M and 20.50.090.A and Section 20.60.114.

	<u>Date</u>
<b>Notes:</b>	<b>Filed with City Clerk:</b> 9/20/2019
	<b>Mayor's Signature:</b> 9/20/2019
<b>Sponsors:</b> Bagshaw	<b>Vetoed by Mayor:</b>
	<b>Veto Overridden:</b>
	<b>Veto Sustained:</b>

**Attachments:**

**Drafter:** adrian.matanza@seattle.gov

**Filing Requirements/Dept Action:**

**History of Legislative File**

Legal Notice Published:  Yes  No

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	City Clerk	09/03/2019	sent for review	Council President's Office			
1	Mayor	09/03/2019	Mayor's leg transmitted to Council	City Clerk			
1	Council President's Office	09/06/2019	sent for review	Finance and Neighborhoods Committee			
	<b>Action Text:</b> The Council Bill (CB) was sent for review. to the Finance and Neighborhoods Committee						
1	City Council	09/09/2019	referred	Finance and Neighborhoods Committee			
1	Finance and Neighborhoods Committee	09/11/2019	pass as amended				Pass

Action Text: The Committee recommends that City Council pass as amended the Council Bill (CB).  
In Favor: 2 Chair Bagshaw, Vice Chair González  
Opposed: 0

1 City Council 09/16/2019 passed Pass

Action Text: The Council Bill (CB) was passed by the following vote, and the President signed the Bill:  
Notes:

*Councilmember Herbold left the Council Chamber at 4:40 p.m.*

In Favor: 8 Councilmember Bagshaw, Councilmember González , Council  
President Harrell, Councilmember Juarez, Councilmember Mosqueda,  
Councilmember O'Brien, Councilmember Pacheco, Councilmember  
Sawant

Opposed: 0

Absent(NV): 1 Councilmember Herbold

2 City Clerk 09/18/2019 submitted for Mayor  
Mayor's signature

2 Mayor 09/20/2019 Signed  
Action Text: The Council Bill (CB) was Signed.

2 Mayor 09/20/2019 returned City Clerk  
Action Text: The Council Bill (CB) was returned. to the City Clerk

2 City Clerk 09/20/2019 attested by City Clerk  
Action Text: The Ordinance (Ord) was attested by City Clerk.

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**CITY OF SEATTLE**

**ORDINANCE** 125920

**COUNCIL BILL** 119642

AN ORDINANCE relating to City emergency purchases of goods and services; emergency consultant contracts; and emergency public works contracting; amending Section 10.02.070 of the Seattle Municipal Code to align with current practices and the procedures in subsections 3.39.020.M and 20.50.090.A and Section 20.60.114.

WHEREAS, emergencies in the City often require the purchase of goods and services, emergency consultant contracts, and emergency public works contracting; and

WHEREAS, while the circumstances that require immediate public works contracting to respond to an emergency are exempt from the process in Chapter 20.48 of the Seattle Municipal Code (SMC), subsection 3.39.020.M describes the current process by which these contracts are executed; and

WHEREAS, while the circumstances that require immediate consultant contracting to respond to an emergency are exempt from the process in SMC Chapter 20.50, subsection 20.50.090.A describes the current process by which these contracts are executed; and

WHEREAS, while the circumstances that require immediate purchases of goods and services to respond to an emergency are exempt from the purchasing process in SMC Chapter 20.60, Section 20.60.114 describes the current process by which these purchases are made; and

WHEREAS, amendments are needed to bring SMC Section 10.02.070 in line with current and practices and procedures and subsections 3.39.020.M and 20.50.090.A and SMC Section 20.60.114; NOW, THEREFORE,

**BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:**

Section 1. Section 10.02.070 of the Seattle Municipal Code, last amended by Ordinance 124849, is amended as follows:

1 **10.02.070 Emergency Purchasing and Contracting Purchases of Supplies ~~(-)~~**

2 A. Upon the proclamation of a civil emergency by the Mayor, and during the existence of  
3 a civil emergency, emergency public works contracting is authorized to be made consistent with  
4 the procedures outlined in subsection 3.39.020.M as follows:

5 1. The Finance and Administrative Services Director or designee is authorized to  
6 waive competitive bidding requirements, and award public works contracts as necessary to  
7 address the emergency.

8 B. Upon the proclamation of a civil emergency by the Mayor, and during the existence of  
9 a civil emergency, emergency consultant contracts are authorized to be made consistent with the  
10 procedures outlined in subsection 20.50.090.A as follows (for purposes of this subsection  
11 10.02.070.B, “department” has the meaning in Section 20.50.010 instead of in Section  
12 10.01.030):

13 1. The department head determines a competitive consultation process would  
14 adversely affect the City’s interests because an emergency exists.

15 2. The department head files a written explanation of the determination with the  
16 contract.

17 C. Upon the proclamation of a civil emergency by the Mayor, and during the existence of  
18 a civil emergency, emergency purchases of goods (products, supplies, materials, and equipment)  
19 and services are authorized to be made ((in accordance)) consistent with the procedures outlined  
20 in ((SMC)) Section 20.60.114 as follows:

21 1. Any City officer or employee authorized by ordinance or City department  
22 policy may procure goods or services to respond to an emergency.

1                    2. All such purchases shall be documented by the City department with a written  
2 explanation of the emergency.

3                    ~~((A. Preprinted emergency purchasing forms shall be provided by the Director of~~  
4 ~~Finance and Administrative Services for use for all emergency purchases or contracting for~~  
5 ~~supplies, materials or labor during the existence of such emergency, which forms shall provide~~  
6 ~~for the filling in of appropriate information prescribed by the Director including: date and time of~~  
7 ~~purchase; name and address of supplier; quantity, unit, description, unit price, and total price of~~  
8 ~~item; name and appropriate identification number from the City employee identification card of~~  
9 ~~the person making the purchase; date required and date delivered; description of use of item;~~  
10 ~~including disaster work order number, description of disaster work and location of use; and name~~  
11 ~~and appropriate identification number from the City employee identification card of the person~~  
12 ~~receiving the item.~~

13                    ~~B. An employee identification card shall be used in all cases to verify that the purchaser~~  
14 ~~is an employee of the City.~~

15                    ~~C. A log of all purchases made during any emergency shall be maintained by each~~  
16 ~~department and by the Director of Finance and Administrative Services.))~~

17                    D. The City officer or employee shall conduct competitive solicitation to the extent  
18 practicable given the emergency, and in keeping with the dollar value of the acquisition, and in  
19 compliance with any applicable city, state, and federal laws and regulations.

20                    E. The heads of City departments ((using emergency purchase forms)) shall account for  
21 all costs incurred in making such purchases and contracts in compliance with any applicable  
22 policies and procedures.

1           ((E)) F. Upon termination of the emergency, the heads of City departments shall review  
2 all emergency purchases and contracts issued by their respective departments, and shall verify  
3 and authenticate all orders, and submit a summary of emergency purchase orders through the  
4 Director of Finance and Administrative Services to the City Council(~~for authorization of~~  
5 ~~payment~~)).

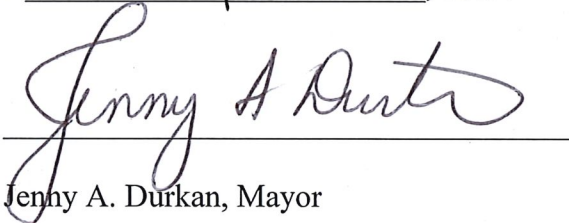
1 Section 2. This ordinance shall take effect and be in force 30 days after its approval by  
2 the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it  
3 shall take effect as provided by Seattle Municipal Code Section 1.04.020.

4 Passed by the City Council the 16<sup>th</sup> day of September, 2019,  
5 and signed by me in open session in authentication of its passage this 16<sup>th</sup> day of  
6 September, 2019.

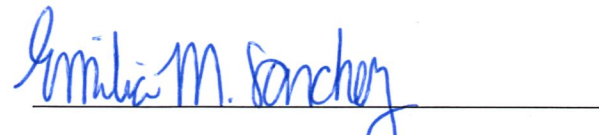
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8 President \_\_\_\_\_ of the City Council

9 Approved by me this 20<sup>th</sup> day of September, 2019.

10   
11 Jenny A. Durkan, Mayor

12 Filed by me this 20<sup>th</sup> day of September, 2019.

13   
14 for Monica Martinez Simmons, City Clerk

15 (Seal)

