

Amendment 11 Version 1 to CB 120981 DEEL Families, Education, Preschool, and Promise Levy
ORD

Sponsor: Councilmember Kettle

Requiring Written Explanation When Advertised Process Not Used for Agreements With Non-Public Entities

Effect: This amendment would require a written explanation when the Department of Education and Early Learning (DEEL) determines that an exception to a competitive process is warranted when entering into agreements with non-public entities.

Council Bill 120981 authorizes DEEL to enter into agreements with non-public entities using a competitive process, except in case of emergency as determined by the Executive, or when the Director of DEEL determines that a process is not feasible because the services are only available from one source or are impracticable to solicit.

Exemptions to competitive solicitation exist elsewhere in Seattle Municipal Code regarding procuring consultant services or purchasing, but in some cases require a written explanation for pursuing the exemption. For example, Seattle Municipal Code Sections 20.50.090 and 20.60.114 require such written explanations.

If the proposition proposed by CB 120981 is approved by voters, further contracting expectations may be adopted by Council during the consideration of the FEPP Levy Implementation and Evaluation Plan.

Amend Section 9 of CB 120981 as follows:

Section 9. Agreements with public agencies. The Director of Education is authorized to enter agreements for education-support services with the Seattle Public School District, Seattle Colleges, Public Health-Seattle & King County, and the State of Washington. The Director of Education is also authorized to enter agreements with non-public entities for the education-support services using an advertised process, such as a request for proposals or qualifications, except in case of emergency as determined by the Executive or when the Director of Education determines that a process is not feasible because the services are only available from one source or are impracticable to solicit. When an exception to an advertised process is used to enter an

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agreement with a non-public entity, the Director of Education shall include a written explanation of the determination of exceptional circumstances with the agreement.