Legislation Details (With Text)

File #:	CB 119642 **Version:** 2	**Name:**	CB 119642
Type:	Ordinance (Ord)	**Status:**	Passed
		In control:	City Clerk
On agenda:	9/16/2019		
Final Action:	9/20/2019	**Ord. No.**	Ord 125920
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.		
Sponsors:	Sally Bagshaw		
Indexes:			
Attachments:	1. Summary and Fiscal Note, 2. Presentation, 3. Proposed Amendment #1 (added 9/11/19), 4. Proposed Amendment #2 (added 9/11/19), 5. Signed Ordinance 125920, 6. Affidavit of Publication		

Date	Ver.	Action By	Action	Result
9/20/2019	2	City Clerk	attested by City Clerk	
9/20/2019	2	Mayor	returned	
9/20/2019	2	Mayor	Signed	
9/18/2019	2	City Clerk	submitted for Mayor's signature	
9/16/2019	1	City Council	passed	Pass
9/11/2019	1	Finance and Neighborhoods Committee	pass as amended	Pass
9/9/2019	1	City Council	referred	
9/6/2019	1	Council President's Office	sent for review	
9/3/2019	1	Mayor	Mayor's leg transmitted to Council	
9/3/2019	1	City Clerk	sent for review	

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

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:

10.02.070 Emergency Purchasing and Contracting ~~Purchases of Supplies~~ ((.))

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

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

B. Upon the proclamation of a civil emergency by the Mayor, and during the existence of a civil emergency, emergency consultant contracts are authorized to be made consistent with the procedures outlined in subsection 20.50.090.A as follows (for purposes of this subsection 10.02.070.B, “department” has the

meaning in Section 20.50.010 instead of in Section 10.01.030):

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

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

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

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

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

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

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

~~C. A log of all purchases made during any emergency shall be maintained by each department and by~~

~~the Director of Finance and Administrative Services.~~))

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

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

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

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

Passed by the City Council the _____ day of _____, 2019, and signed by me in open session in authentication of its passage this _____ day of _____, 2019.

_____

President _____ of the City Council

Approved by me this _____ day of _____, 2019.

_____

Jenny A. Durkan, Mayor

Filed by me this _____ day of _____, 2019.

_____

Monica Martinez Simmons, City Clerk

(Seal)