BEFORE THE COUNCIL OF THE METROPOLITAN SERVICE DISTRICT

FOR	THE PURPOSE OF REGULATING)	ORDINANCE NO.	80-103
THE	EXECUTION OF PUBLIC CONTRACTS)		
)	Introduced by	the Council
)	Coordinating (Committee

THE COUNCIL OF THE METROPOLITAN SERVICE DISTRICT HEREBY ORDAINS: Section 1. Purpose

It is the purpose of this ordinance to allocate responsibility for the execution of contracts to which Metro is a party.

Section 2. Personal Services Contracts

The Executive Officer shall have authority to enter into and execute personal services contracts, as defined by State law, within the limits of the approved annual budget.

Section 3. Other Contracts

The Executive Officer shall have the authority to enter into and execute contracts for construction, materials and services, and contracts other than for personal services within the limits of the approved annual budget; provided however, that all contracts covered by this section which provide for monetary payments or reimbursements by Metro in excess of \$50,000 each during any one fiscal year must be approved by a majority vote of the Council prior to execution or acceptance of bids.

Section 4. Contracts Subject to Appropriation

Contracts extending into a fiscal year beyond the fiscal year in which execution occurs shall expressly provide that continuation of such contracts into subsequent fiscal years is subject to budget

appropriation therefor.

ADOPTED by the Council of the Metropolitan Service District this 2nd day of October, 1980.

Presiding Officer

ATTEST:

Clerk of the Council

AJ/gl 256/135

AGENDA MANAGEMENT SUMMARY

TO:

Metro Council

FROM:

Council Coordinating Committee

SUBJECT: Regulating the Execution of Public Contracts

I. RECOMMENDATION

A. ACTION REQUESTED: Adopt Ordinance No. 80-103, for the purpose of allocating responsibility for contract execution and approval.

- B. POLICY IMPACT: Would provide Council oversight and approval of major contracts. Affected contracts would be listed as consent agenda items.
- C. BUDGET IMPACT: None.

II. ANALYSIS

A. BACKGROUND: The Executive Officer is allowed to enter into contracts on behalf of Metro. Past practice has been that contract approvals and executions have been by the Executive Officer as long as funds for each contract were in the budget. Contracts with significant policy impact have been routinely brought to the Council for approval.

In anticipation of several crucial contracts of substantial value, it has been suggested that a formal allocation of contract approval authority be codified.

- B. ALTERNATIVES CONSIDERED: The proposed ordinance would require Council approval of each non-personal services contract over \$50,000 in price. Though the \$50,000 level is admittedly arbitrary, the Coordinating Committee believes said level to be a reasonably accurate cutoff point between contracts of a routine nature and those of policy magnitude. The alternative considered by the Committee was a \$100,000 limit which had been recommended by staff.
- C. CONCLUSION: Recommend adoption of Ordinance No. 80-103 to provide Council control over contracts of policy importance.

TITLE _____ For the Purpose of Regulating
the Execution of Public Contracts

DATE INTRODUCED ____ September 25, 1980

FIRST READING ____ September 25, 1980

SECOND READING ____ October 2, 1980

DATE ADOPTED _____ October 2, 1980

DATE EFFECTIVE ____ October 2, 1980

ROLLCALL

	Yes	No	Abst.
Burton	X		
Examr Oleson [Х		
Williamson	X		
Berkman	X	3.11	
Kirkpatrick [X		
Deines	Х		
Rhodes		Х	
Schedeen	X		
Mikker Bonner		X	
Banzer	Х		
Peterson			
Kafoury			N 8 9 1 1