

Council Agenda Summary

May 21, 2019

Agenda Item Number 17

Key Staff Contact: Renee Wheeler, Finance Director, 350-9732

Title:

Public hearing and final reading of an ordinance amending Sections 2.07.040, 4.20.160, and 4.20.190 of the Greeley Municipal Code regarding Intergovernmental Agreements, Change Orders, and Contract Types

Summary:

There are three municipal code provisions staff believes need clarification to direct accountability appropriately and avoid cluttering city council agendas with administrative level review: intergovernmental agreements, change orders, and types of contracts.

City Council approved revisions to the contracts and purchasing chapters of the code April, 2018. Over the last year as the code provisions were being administered, clarifications around the dollar threshold for elevating the oversight responsibility to the City Council level appeared to be necessary. The following minor changes are being recommended for consideration.

- 1) 2.07.040 Intergovernmental Agreements - more specificity around when intergovernmental agreements should be submitted to City Council for consideration (over \$100,000, significant policy, or required by law).
- 2) 4.20.160 Change Orders – more specifically designating City Council considerations for 25% change orders to contracts \$100,000 or greater.
- 3) 4.20.190 – Types of Contracts – clarifying that any legally acceptable and appropriate contract type may be used by the City.

All recommendations are being made to maintain the integrity the oversight responsibility of the code provisions at a \$100,000 threshold and ensure that staff has the ability to make the most effective use of alternate delivery contracts that are common place in the construction industry (i.e., construction management at risk CMAR, progressive design build). This ordinance was introduced at the May 7, 2019 Council meeting.

Fiscal Impact:

Does this item create a fiscal impact on the City of Greeley?	No
If yes, what is the initial, or, onetime impact?	
What is the annual impact?	
What fund of the City will provide Funding?	
What is the source of revenue within the fund?	N/A

Is there grant funding for this item?	N/A
If yes, does this grant require a match?	
Is this grant onetime or ongoing?	
Additional Comments:	

Legal Issues:

Consideration of this matter is a legislative process which includes the following public hearing steps:

- 1) City staff presentation (if requested)
- 2) Council questions of staff
- 3) Public input (hearing opened, testimony - up to three minutes per person, hearing closed)
- 4) Council discussion
- 5) Council decision

Other Issues and Considerations:

None

Applicable Council Priority and Goal:

The municipal code serves as the legal foundation to perform our duties and provide regulation transparency.

Infrastructure & Growth: Civic Infrastructure – create a community that recognizes and capitalizes on the power of aligned principled relationships to address any challenges we face.

Decision Options:

1. Adopt the ordinance as presented; or
2. Amend the ordinance and adopt as amended; or
3. Deny the ordinance; or
4. Continue consideration of the ordinance to a date certain.

Council's Recommended Action:

A motion to adopt the ordinance and publish with reference to title only.

Attachments:

Ordinance