



STAFF REPORT

Meeting Type: City Council Meeting
Meeting Date: December 18, 2023
From: Jennifer Coker, Public Works Director
Subject: Temporary Exception to the City Managers Signing Authority to Administer the Sandy Clean Waters Program On-Call Engineering Contracts

DECISION TO BE MADE:

Whether to approve Resolution 2023-36, which would allow a temporary expansion of [the City Manager's signing authority](#) to administer Sandy Clean Waters program on-call engineering contracts

PURPOSE / OBJECTIVE:

To facilitate efficient and timely completion of the Sandy Clean Water Program wastewater treatment plant minor upgrade projects, to maintain compliance with the NPDES permit and build additional treatment capacity per the terms of the Consent Decree with EPA and DEQ.

BACKGROUND / CONTEXT:

Resolution No. 2017-28 establishes [the City's public contracting rules](#) and defines the signing authority of the City Manager, which is limited to purchases less than \$100,000.

Resolution 2023-36 would authorize a temporary exception to Resolution No. 2017-28, allowing the City Manager to sign for purchases exceeding \$100,000 provided the purchases are specifically for the Sandy Clean Waters Program engineering on-call contracts for wastewater treatment plant minor upgrades.

KEY CONSIDERATIONS / ANALYSIS:

On-Call engineering contracts, with limits per task order as well as cumulative limits per contract, are a common tool used by utilities for ongoing bodies of work to maintain treatment plant assets. They allow cities to prioritize minor upgrades as they arise based on need and condition. Implementing this approach in Sandy will result in the following benefits:

- **Efficiency:** Formalizing the City Manager's temporary signing authority will streamline the procurement process, ensuring the rapid completion of minor upgrade projects at the treatment plant necessary to maintain compliance NPDES permit and meet the Consent Decree requirements, thus avoiding penalties. This means that staff would not have to bring each individual contract back to the Council for approval, saving time and resources.

- **Maximizing Grant Funds:** The \$14.7 million ARPA grant must have all construction contracts obligated by December 2025, and all projects completed by September 2026. With long lead item purchases and new immediate needs at the wastewater treatment plant, the on-call contracting tool and temporary expansion of City Manager's signing authority will allow the team to customize projects to spend the remaining grant funds and achieve construction completion by the grant deadline.
- **Consistency:** The proposed action aligns with the program goals of improving our treatment plant, maintaining compliance, and expanding treatment capacity. These projects, procurements, and professional service contracts were previously approved as part of the program's budget allocation.

BUDGET IMPACT:

There is no direct budgetary impact associated with this codification, as the purchases in question are integral to the previously approved program and BN 2023-25 budget, and the capital improvement program. Projects will be funded from the ARPA \$14.7 million grant and the \$46 million SRF loan #3.

RECOMMENDATION:

Staff recommends adoption of Resolution 2023-36.

SUGGESTED MOTION LANGUAGE:

"I move to adopt Resolution 2023-36: Approving an Exception to the City Manager's Signing Authority to Administer the Sandy Clean Waters Program On-Call Engineering Contracts."

LIST OF ATTACHMENTS / EXHIBITS:

- Resolution 2023-36