



City Council Report

Date: April 23, 2012
To: City Council
From: Debbie Spinner, City Attorney
Ed Quedens, Business Services Director
Subject: Repealing the Existing and Adopting a New Mesa City Code, Title 1, Chapter 21, Relating to the Procurement of Materials, Non-Professional Contract Services, and Capital Improvements (Citywide)

Purpose and Recommendation

The Council is requested to repeal the existing City Code, Title 1, Chapter 21 for the Procurement of Materials, Non-Professional Contract Services and Capital Improvements and adopt the new language to replace it.

Background and Discussion

On January 23, 2012, the City Council directed staff to bring forward an ordinance that would modify the City Code to require prior Council approval for Non-Professional Contract Services that exceed \$25,000 for one-time procurements or annually for term contracts.

Professional Services are defined in the Code as:

Services which require special knowledge, education or training. The primary criteria in the selection process will be the qualifications of the vendors.

Professional Services include, but are not limited to; advertising; appraisers; architects; attorneys; consultants; certified public accountants; engineers; entertainers; environmental studies; financial and operational audits; personnel and benefits studies; physicians and other health professionals; land surveyors; landscape architects; renewals of proprietary computer hardware and software licensing; trainers and teachers; and other technical registrants as defined in Arizona Revised Statutes.

Non-Professional Contract Services are services that fall outside the definition of Professional Services and are defined as:

Services which are primarily provided through semi-skilled labor. The primary criteria in the selection process will be qualifications of the vendor and price.

Staff feels comfortable that these definitions provide guidance as to what items require prior Council approval.

Contracts for Professional Services over \$25,000 for one-time procurements or annually for term contracts will be reported to Council at the end of each quarter.

As structured, contracts for services over \$25,000 will either:

- a. Be on a Council agenda (Non-Professional Contract Services); or
- b. Be on the quarterly report to Council (Professional Services).

Structural changes have been made to the section of the City Code to make it more user-friendly however; the substance didn't change other than to include service contracts.

Coordinated With

City Attorney's Office
City Manager's Office
Business Services Department