

ORDINANCE NO. 2009-18

AN ORDINANCE of the City of Bainbridge Island, Washington, relating to contracting for services other than public works; and amending Section 3.70.020 of the Bainbridge Island Municipal Code to provide for contracting authority for the City Manager.

WHEREAS, the City previously enacted Ordinances Nos. 2004-05, 2007-04 and 2008-02 (codified in BIMC Chapter 3.70), establishing contract requirements and authority for professional and nonprofessional services agreements; and

WHEREAS, current BIMC 3.70.020 authorizes the Mayor to approve contracts for professional or nonprofessional services with a value of less than \$10,000 a year if the funds for such contracts have been appropriated in the budget; and

WHEREAS, due to the recent change in form of government of Bainbridge Island from the Mayor-Council to the Council-Manager plan of government, it is requested that the City Council amend BIMC 3.70.020 to authorize the City Manager to execute professional and nonprofessional service agreements when such contracts have been already been appropriated in the budget; and

WHEREAS, at its July 14, 2009 meeting, the Finance and Personnel Committee requested that the City Attorney prepare an ordinance for submission to the City Council that would amend BIMC 3.70.020 to authorize the City Manager to execute professional and nonprofessional service agreements with a value of \$30,000 a year if the funds for such contracts have been already been appropriated in the budget; and

WHEREAS, the City Council has determined that it is appropriate to amend BIMC 3.70.020 to authorize the City Manager to execute professional and nonprofessional service agreements with a value of \$30,000 a year if the funds for such contracts have been already been appropriated in the budget; now, therefore,

THE CITY COUNCIL OF THE CITY OF BAINBRIDGE ISLAND, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. Section 3.70.020 of the Bainbridge Island Municipal Code is hereby amended as follows:

“3.70.020 Contract requirements for professional and nonprofessional services.

A. All professional and nonprofessional services to be performed for or on behalf of the city by persons other than city employees shall be by contract and shall be subject to the requirements set forth herein.

B. Except as set forth in BIMC 3.70.030 or as otherwise governed by Chapter 3.72 BIMC, relating to public works, no formal or informal bidding shall be required for the purchase of professional or nonprofessional services.

C. Staff shall continue on an ongoing basis to obtain the lowest practical price for professional and nonprofessional services pursuant to this section.

D. All contracts for professional or nonprofessional services with a value of ~~\$10,000~~30,000 or more a year, or with a value likely to meet or exceed ~~\$10,000~~30,000 a year, shall be approved by the city council. Nothing in this subsection shall be construed to permit the division of a contract for professional or nonprofessional services into more than one phase or unit for purposes of avoiding this limitation.

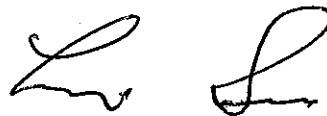
E. Contracts for professional or nonprofessional services with a value of less than ~~\$10,000~~30,000 a year, or with a value which is not likely to meet or exceed ~~\$10,000~~30,000 a year, shall be approved by the city manager ~~mayor~~ or his/her designee; provided, that the funds for such contracts have been appropriated in the subject budget. If the funds for any such contract have not been appropriated in the budget, such contract shall be approved by the council, irrespective of the value of the contract. Additionally, during the annual budget process, the council may designate and require that any particular contract for professional or nonprofessional services be subject to future council approval irrespective of the value of the contract.

F. For purposes of this section, a contract shall be deemed to have a value of ~~\$10,000~~30,000 or more if the contract on its face requires a city expenditure of ~~\$10,000~~30,000 or more in any year, or if pursuant to the terms of the contract, it is likely that the city's expenditures will meet or exceed ~~\$10,000~~30,000 in a year."

Section 2. This ordinance shall take effect and be in force five (5) days after its passage, approval and publication as provided by law.

PASSED by the City Council this 12th day of August, 2009.

APPROVED by the Mayor this 18th day of August, 2009.



Christopher Snow, Mayor

ATTEST/AUTHENTICATE:

Rosalind D. Lassoff
Rosalind D. Lassoff, City Clerk

FILED WITH THE CITY CLERK:	July 14, 2009
PASSED BY THE CITY COUNCIL:	August 12, 2009
PUBLICATION DATE:	August 21, 2009
EFFECTIVE DATE:	August 26, 2009
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