

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 4968

AN ORDINANCE relating to the general administration of the City; adopting a policy on reimbursing employees; authorizing the city manager to apply for all grants and to execute grant agreements under \$50,000; adopting and amending procedures with regard to public works contracts, leases, purchases, the procurement of recycled and recyclable products and other contracts; amending Sections 4.28.017, .018, .019, .020, .215, .216 and .230 of the Bellevue City Code; adding new Sections 3.37.100 and 4.28.120 to the Bellevue City Code; repealing Section 6 of Ordinance No. 4311; repealing Resolution Nos. 3054, 5386 and 5642; and establishing an effective date.

WHEREAS, the City Council desires to improve the efficiency of city operations and to increase the flexibility of the City Manager in managing the City's purchasing and contracting processes; and

WHEREAS, the City Council desires to authorize the City Manager to apply for all grants and to execute grant agreements for projects involving not more than \$50,000; now, therefore,

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. A new Section 3.37.100 is added to the Bellevue City Code to read as follows:

**3.37.100 Director--Advance of/Reimbursement for Employee Business Expenses**

A. It is the policy of the city to reimburse city employees and city officials who incur authorized travel, subsistence, registration and related expenses while on city business. Claimants have the responsibility for becoming knowledgeable about allowable expenditures and the documentation requirements. Care must be taken to avoid unnecessary or excessive expenditures, and those not directly and reasonably related to the conduct of city business.

B. The finance director is authorized to promulgate rules and procedures for the purpose of administering this policy and to provide forms accompanied by instructions for their implementation. Exceptions to the finance director's rules and procedures may be made only for unusual or extenuating circumstances upon the written directive of the city manager or his/her designee or in the case of city council members, the mayor or his/her designee, if such expenses reasonably relate to a benefit or service received by the City and compliance with these rules and procedures is or was not feasible.

Section 2. Section 4 of Ordinance 3593 and Section 4.28.017 of the Bellevue City Code are amended to read as follows:

**4.28.017 Grants**

A. Nothing in this chapter shall prevent the city from complying with the terms and conditions of any grant, gift or bequest which is otherwise consistent with law.

B. The city manager or his/her designee is authorized to apply for grants in any amount and to execute grant contracts for grants of not more than \$50,000. The city manager or his/her designee shall notify the City Council periodically of such grant contracts.

Section 3. Section 5 of Ordinance 3593, as most recently amended by Section 2 of Ordinance 4040, and Section 4.28.018 of the Bellevue City Code are amended to read as follows:

**4.28.018 - Professional Service Contracts.**

Contracts for professional services, including contracts for architectural, engineering, legal and consulting services, are not subject to the requirements of this chapter. The city manager or his/her designee shall promulgate procedures and standards for the approval of such contracts. Contracts for architectural and engineering services shall be awarded in accordance with Chapter 39.80 RCW. For purposes of this section, "professional services" are those services involving skill, education and special knowledge and where the work is predominately mental and intellectual, rather than physical and mechanical.

Section 4. Section 6 of Ordinance 3593, as amended by Section 3 of Ordinance 4040, and Section 4.28.019 of the Bellevue City Code are amended to read as follows:

**4.28.019 - Lease Agreements.**

Lease agreements for materials, supplies and equipment are not subject to the requirements of this chapter, but shall be subject to such procedures as are established by the city manager or his/her designee. All such agreements in excess of \$35,000 must, however, be approved by the city council. Lease agreements shall comply with any applicable state law regarding debt capacity.

Section 5. Section 4.28.020 of the Bellevue City Code, as most recently amended by Section 4 of Ordinance 4040, is further amended to read as follows:

**4.28.020 - Responsibility for Purchasing.**

A. General. The finance director shall be responsible for all city purchasing under this chapter except where otherwise provided. The director shall appoint a purchasing manager who shall, subject to the direction and control of the director, administer this chapter.

B. Duties. In accordance with this chapter, the purchasing manager shall:

1. Purchase or supervise the purchase of all materials, supplies, equipment, and nonprofessional services, and supervise the award of all public works and improvement contracts by the city;
2. Sell, trade or otherwise dispose of surplus personal property belonging to the city; provided the city property manager shall be responsible for the disposal of real property; and
3. Establish and maintain programs for specifications development, contract administration and inspection and acceptance, in cooperation with the city departments using the items purchased.

C. Operational Procedures. Consistent with this chapter, and with the approval of the finance director, the purchasing manager may propose operational procedures relating to the execution of his/her duties. Such procedures shall be followed by all city departments. These will be set forth in a purchasing handbook (purchasing cookbook) .

D. Insurance Requirements. Liability and property damage insurance requirements for any contract entered into by the city under this chapter shall be determined by the city risk manager. The risk manager shall determine coverage requirements, limits of liability, necessary endorsements, and other matters relating to insurance.

E. Sheltered Workshops. With the approval of the finance director, the purchasing manager shall establish a process, consistent with state law, for the procurement of goods and services offered by sheltered workshops whenever it is reasonable to do so, and to such extent as is reasonable. "Sheltered workshop" shall have the meaning provided in RCW 82.04.385, and as such provision may be amended.

Section 6. A new Section 4.28.120 is added to the Bellevue City Code to read as follows:

#### **4.28.120 - Procurement of Recycled and Recyclable Products**

With the approval of the finance director, the purchasing manager is hereby authorized and directed to promulgate procedures and guidelines to govern the procurement of products and materials made from recycled or recyclable materials to the maximum extent practicable by all city departments, and to encourage waste reduction. The purchasing manager shall list products and materials that have significant levels of recovered materials that can and should be readily procurable. Designated products or materials shall qualify as recycled products if they meet minimum content standards as defined by the purchasing manager.

The guidelines promulgated by the purchasing manager shall include the following requirements:

A. In procuring designated products and materials, the city shall require recovered material and/or post-consumer material content to be factors in determining the lowest responsible bid in any competitive bidding procurement process initiated

pursuant to city ordinance. Guidelines for purchasing materials, supplies and equipment which encourage recycled or recyclable products shall be developed.

B. The city shall promote the use of recycled and recyclable products by publicizing its procurement program and by disseminating information about recycled and recyclable products.

C. The city manager shall report periodically to the city council on progress in procuring recycled and recyclable products.

D. It is not intended that the city or its contractors procure products that do not perform adequately for their intended end use or products that are not available at a reasonable price within a reasonable period of time.

Section 7. Section 15 of Ordinance 4040 and Section 4.28.215 of the Bellevue City Code are amended to read as follows:

**4.28.215 Administrative Procedures -Public works contracts.**

The city manager or his/her designee may promulgate procedures for the purpose of administering public works improvement contracts. Such procedures may define the levels of authority pertaining to review and approval of contract change orders.

Section 8. Section 16 of Ordinance 4040 and Section 4.28.216 of the Bellevue City Code are amended to read as follows:

**4.28.216 Administrative Guidelines, Policies and Procedures -Purchases for Special Events.**

The city manager or his/her designee may promulgate procedures to govern the purchase of supplies, such as food, beverages, decorations and awards, for public events and employee activities, including employee of the year recognition, volunteer recognition and ceremonial openings of public facilities.

Section 9. Section 11 of Ordinance 2822, as most recently amended by Section 4 of Ordinance 4320, and Section 4.28.230 of the Bellevue City Code are further amended to read as follows:

**4.28.230 Other Contracts.**

The city manager or his/her designee may promulgate procedures for the approval of all other contracts not otherwise covered by this chapter. These contracts shall include, but shall not be limited to: nonprofessional service contracts, maintenance agreements and contracts, instructor contracts, entertainment contracts and any other personal service contract.

Section 10. Resolution Nos. 3054, 5386 and 5642 are repealed.

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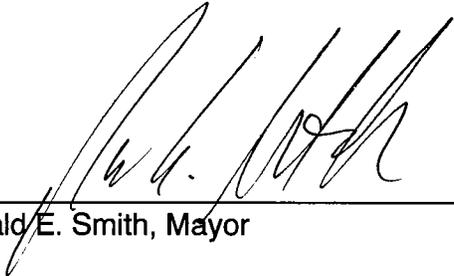
# ORIGINAL

Section 11. Section 6 of Ordinance No. 4311 is repealed.

Section 12. This ordinance shall take effect and be in force thirty days after its passage.

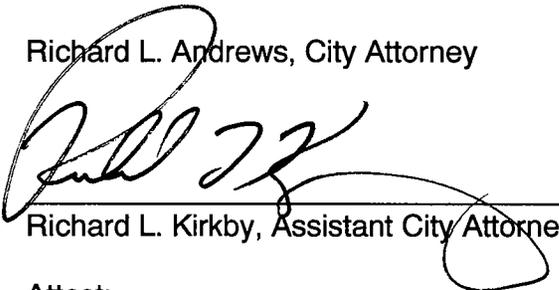
PASSED by the City Council this 3rd day of February, 1997, and signed in authentication of its passage this 5th day of February, 1997.

(SEAL)

  
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Ronald E. Smith, Mayor

Approved as to form:

Richard L. Andrews, City Attorney

  
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Richard L. Kirkby, Assistant City Attorney

Attest:

  
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Myrna L. Basich, City Clerk

Published February 7, 1997