

**COUNCIL INITIATIVE PROPOSAL FORM**

**City Code Sec. 2-214(14).** *Council Initiatives. This section of the agenda is reserved for individual councilmember requests for future legislative or staff action. These shall be limited to giving direction to staff to assist in formulating policies, work plans, etc. for future consideration of the city council. An initiative moves forward by majority vote of the city council.*

**City Charter Sec. 3.08.** *Interference with Administration. Except for the purposes of inquiries and investigations, the Council, its members and the Mayor shall deal with the City officers and employees who are subject to the direction and supervision of the City Administrator solely through the City Administrator.*

COUNCIL MEMBER PROPOSING INITIATIVE: SCOTT ASPENLIEDER

SHORT NAME OF INITIATIVE: PROFESSIONAL SERVICES CONTRACTING REVIEW/UPDATE

TERMS OF MOTION PROPOSING LEGISLATIVE OR STAFF ACTION: Move to complete a comprehensive review of contracting processes for all departments as it relates to professional services as defined by MCA 18.8.204 with staff presenting recommendations to create consistency across City government.

CITY STAFF OR DEPARTMENT POTENTIALLY IMPACTED BY INITIATIVE: Library, Parks, Airport/Transit, Public Works, Facilities, Planning

HAS COUNCIL MEMBER COMMUNICATED WITH CITY ADMINISTRATOR ABOUT THE INITIATIVE?  
YES  NO

ESTIMATE OF APPROXIMATE STAFF AND COUNCIL TIME REQUIRED: .1-2 Council Work Sessions and 1 Council Regular Business. Staff time to provide existing contracting processes for each department as it relates to Architects, Engineers, and Surveyors (MCA 18.8.204) and propose consistent process used uniformly across City.

APPROXIMATE TIMELINE FOR STAFF/DEPARTMENT ACTION:  
GIVEN THE LIABILITY RISK ASSOCIATED WITH NOT FOLLOWING MCA 18.8.204 IT SHOULD HAPPEN WITHIN 4-6 MONTHS AND BE COMPLETED BY THE END OF FY25.

COSTS OTHER THAN STAFF TIME, IF ANY: None

PRIORITY RELATIVE TO EXISTING INITIATIVES (SEE LIST AVAILABLE FROM CITY ADMINISTRATOR): Given liability and exposure I would hope sooner rather than later.

ADDITIONAL INFORMATION OR COMMENTS:

GIVEN THE RECENT CONTRACTING QUESTIONS ARISING FROM PARKS ACTIONS WITH THE AMEND RECREATIONAL COMPLEX IT WAS CONCERNING TO FIND THAT WE DO NOT USE CONSISTENT CONTRACTING OR SOLICITATION PROCESSES ACROSS CITY DEPARTMENTS AS IT RELATES TO MCA 18.8.204. AT A MINIMUM WE'RE OPEN TO LIABILITY WITH OUR CURRENT PROCESSES AND SHOULD BE USING AND FOLLOWING THE PROCESS THAT THE PROFESSIONALS IN AIRPORT/TRANSIT AND PUBLIC WORKS IMPLEMENT AS OPPOSED TO THE QUESTIONABLE PROCESS JUST USED THROUGH PARKS. CREATING A CONSISTENT PROCESS THAT IS FULLY COMPLIANT WITH MCA 18.8.204 IS THE GOAL AND SHOULD BE EASILY ATTAINABLE GIVEN AIRPORT/TRANSIT AND PUBLIC WORKS

ALREADY HAVE IT IN PLACE AND USE IT SEAMLESSLY. DISCUSSION SHOULD BE HAD AS TO WHETHER AGENCIES OUTSIDE OF THOSE TWO SHOULD BE TASKED WITH MANAGING PROFESSIONAL SERVICES SOLICITATION AND CONTRACTS GIVEN THE LACK OF TRAINING AND UNDERSTANDING OF THE PROCESS. THIS COULD LEAD TO A DISCUSSION OF CONSOLIDATION OF CONTRACTING IN THE CITY OR AT A MINIMUM DISCUSSION OF WHO'S CAPABLE OF MANAGING SIGNIFICANT PUBLIC INFRASTRUCTURE AND BUILDING PROJECTS IN THE BEST INTEREST OF THE CITY AND TAXPAYERS. IT'S QUESTIONABLE WHETHER WE HIT THE MARK WITH OUR PROCESS ON THE AMEND RECREATIONAL COMPLEX AND AT A MINIMUM WE OWE IT TO THE TAXPAYER AND PROFESSIONAL SERVICE PROVIDERS IN OUR COMMUNITY TO ASSURE THAT WE HAVE A CONSISTENT AND FAIR PROCESS.