

ORDINANCE NO. 06-15

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CHAPTER 18
ARTICLE V

AN ORDINANCE to amend Chapter 18 of the 1984 Detroit City Code, Finance and Taxation, Article V, Purchases and Supplies, Division 1, Goods and Services, Subdivision 1, In General, by amending Section 18-5-21, Council approval required for certain contracts; monthly report on certain contracts; emergency procurements; council notification, ratification required, to create an exemption under the ordinance for contracts for temporary property use under short term lease agreements that charge rent of less than \$25,000.00 and that include a lease term of no more than one month.

IT IS HEREBY ORDAINED BY THE PEOPLE OF THE CITY OF DETROIT THAT:

Section 1. Chapter 18 of the 1984 Detroit City Code, *Finance and Taxation, Article V, Purchases and Supplies, Division 1, Goods and Services, Subdivision 1, In General, Section 18-5-21, Council approval required for certain contracts; monthly report on certain contracts; emergency procurements; council notification, ratification required*, be amended to read as follows:

CHAPTER 18. FINANCE AND TAXATION
ARTICLE V. PURCHASES AND SUPPLIES

DIVISION 1. GOODS AND SERVICES
Subdivision A. In General

Sec. 18-5-21. Council approval required for certain contracts; monthly report on certain contracts; emergency procurements; council notification, ratification required.

(a) With the exception of Subsections (c), (d) and (e) of this section, the following contracts and amendments thereto shall not be entered into without city council approval: goods and services over the value of twenty-five thousand dollars (\$25,000.00); all contracts for personal services, regardless of the dollar value; all grant-funded contracts; all revenue contracts, regardless of dollar value, including contracts for services rendered by the city, its departments and agencies; and all purchases and sales of and other transfers of interest in municipal land. City council approval of a contract or amendment shall not be deemed an approval of any renewal or extension sought to be entered into pursuant to such contract. Such renewals or exten-

sions of contracts or the exercise of an option to renew or extend a contract shall require separate city council approval. The purchasing director shall furnish the city council with a weekly report of all contracts for goods and services exceeding five thousand dollars (\$5,000.00) but not exceeding twenty-five thousand dollars (\$25,000.00). The purchasing director shall furnish the city council with a quarterly report on number and dollar value of contracts awarded to Detroit-based businesses, Detroit-based small businesses, Detroit-resident businesses, Detroit-based micro-business concerns and small-business concerns. In addition, the purchasing director shall notify the city council of any provision in a contract submitted for approval which would permit, or authorize, a renewal or extension of such contract or a loan or prepayment.

(b) Contracts and amendments thereto for legal services, regardless of dollar value, shall not be entered into without city council approval.

(c) The purchasing director, without prior approval of the City Council, may make, or authorize others to make, an emergency procurement when public exigencies require the immediate delivery of articles or performance of services or when there exists a threat to public health, welfare or safety under emergency conditions where prior approval of the city council would be impossible or impracticable under the circumstances; provided that:

(1) Emergency procurement shall be made with such competition as is practicable under the circumstances; and

(2) The purchasing director, or other person he or she authorizes to make emergency procurement, shall, within one (1) week of the procurement, notify the city council in writing of the procurement and the basis for the emergency and for the selection of the particular contractor. The purchasing director shall submit the procurement contract for city council approval within four (4) weeks of the procurement.

(d) The law department, without prior city council approval, may make an emergency procurement of legal services when public exigencies require the immediate delivery of legal services and where prior approval of the city council would be impossible or impracticable under the circumstances; provided, that:

(1) Within two (2) days from the date of emergency procurement for legal services is made, the law department shall



provide a summary to city council of the name of law firm, the scope of services, why legal representation is required as an emergency procurement, the estimated dollar amount required to complete services, and the estimated time frame necessary to complete services; and

(2) A formal contract for legal services is presented to city council for approval within six (6) weeks, with all required clearances.

(e) Pursuant to section 14-8-2 of this code, the planning and development director or his/her designee, without prior city council approval, may enter into short term lease agreements for temporary property use that charge rent of less than \$25,000.00 and that include a lease term of no more than one month.

(f) Each contract, or amendment, renewal or extension awarded by the city which requires City Council approval under Subsections (a) or (b) of this section, or under Section 4-122 of the Charter shall contain a provision that states that no payment shall be authorized or made pursuant to the contract, amendment, renewal, or extension until

and unless the contract, amendment, renewal, or extension is so approved.

Section 2. All ordinances, or parts of ordinances, that conflict with this ordinance are repealed.

Section 3. This ordinance is declared necessary for the preservation of the public peace, health, safety, and welfare of the People of the City of Detroit.

Section 4. Where this ordinance is passed by a two thirds (2/3) majority of City Council Members serving, it shall be given immediate effect and shall become effective upon publication in accordance with Section 4-118(1) of the 2012 Detroit City Charter. Where this ordinance is passed by less than two thirds (2/3) majority of City Council Members serving, it shall become effective thirty (30) days after publication in accordance with Section 4-118(2) of the 2012 City Charter.

(J.C.C. p.): February 10, 2015
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Approved: March 18, 2015
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JANICE M. WINFREY
Detroit City Clerk

