

LEGISLATIVE FACT SHEET

DATE: 12/09/16

BT or RC No: _____
(Administration & City Council Bills)

SPONSOR: Finance and Administration/Procurement
(Department/Division/Agency/Council Member)

Contact for all inquiries and presentations: _____

Provide Name: Gregory Pease

Contact Number: 255-8801

Email Address: gpease@coj.net

PURPOSE: White Paper (Explain Why this legislation is necessary? Provide; Who, What, When, Where, How and the Impact.) Council Research will complete this form for Council introduced legislation and the Administration is responsible for all other legislation. (Minimum of 350 words - Maximum of 1 page.)

The purpose of this legislation is to revise the ordinance code chapter 126 parts 2 and 3 regarding Sole Source and Proprietary purchases. The code requires a using agency in their justification for a noncompetitive purchase to distinguish between a Sole Source or Proprietary classification. This creates some confusion as there is frequently a gray area between the two classifications. In 2011, an audit was performed by the Council Auditors Office which resulted in findings that many non-competitive purchases were misclassified. Their recommendation was to remove the two classifications and use the "Single Source" designation used by the State of Florida. Procurement also desires to simplify this process and use the Single Source designation. This will still require the same process for justifying the non-competitive purchase only it will eliminate the requirement to state whether it is Sole Source or Proprietary.

PLAIN LANGUAGE OF APPROPRIATION / FINANCIAL IMPACT / OTHER:

Explain: Where are the funds coming from, going to, how will the funds be used? Does the funding require a match? Is the funding for a specific time frame? Will there be an ongoing maintenance? ... and staffing obligation? Per Chapters 122 & 106 regarding funding of anticipated post-construction operation costs.

(Minimum of 350 words - Maximum of 1 page.)

No financial Impact

ACTION ITEMS: Purpose / Check List. If "Yes" please provide detail by attaching justification, and code provisions for each.

ACTION ITEMS:

	Yes	No
Emergency?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Justification of Emergency: If yes, explanation must include detailed nature of emergency.

	Yes	No
Federal or State Mandate?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Explanation: If yes, explanation must include detailed nature of mandate including Statute or Provision.

Fiscal Year Carryover?

Note: If yes, note must include explanation of all-year subfund carryover language.

CIP Amendment?

Attachment: If yes, attach appropriate CIP form(s). Include justification for mid-year amendment.

Contract / Agreement Approval?

Attachment & Explanation: If yes, attach the Contract / Agreement and name of Department (and contact name) that will provide oversight. Indicate if negotiations are on-going and with whom. Has OGC reviewed / drafted?

Related RC/BT?

Attachment: If yes, attach appropriate RC/BT form(s).

Waiver of Code?

Code Reference: If yes, identify code section(s) in box below and provide detailed explanation (including impacts) within white paper.

Code Exception?

Code Reference: If yes, identify code in box below and provide detailed explanation (including impacts) within white paper.

Related Enacted Ordinances?

Code Reference: If yes, identify related code section(s) and ordinance reference number in the box below and provide detailed explanation and any changes necessary within white paper.

See explanation above

ACTION ITEMS CONTINUED: Purpose / Check List. If "Yes" please provide detail by attaching justification, and code provisions for each.

ACTION ITEMS:

Continuation of Grant?

Yes	No
<input type="checkbox"/>	<input checked="" type="checkbox"/>

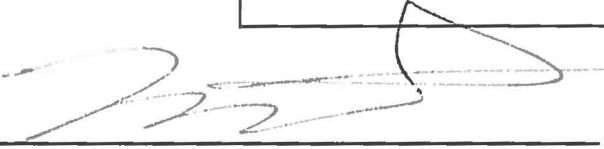
Explanation: How will the funds be used? Does the funding require a match? Is the funding for a specific time frame and/or multi-year? If multi-year, note year of grant? Are there long-term implications for the General Fund?

Surplus Property Certification?

Attachment: If yes, attach appropriate form(s).

Reporting Requirements?

Explanation: List agencies (including City Council / Auditor) to receive reports and frequency of reports, including when reports are due. Provide Department (include contact name and telephone number) responsible for generating

Division Chief: 
_____ (signature)

Date: 12/12/16

Prepared By: _____
(signature)

Date: _____

ADMINISTRATIVE TRANSMITTAL

To: MBRC, c/o Roselyn Chall, Budget Office, St. James Suite 325

Thru: _____

(Name, Job Title, Department)

Phone: _____

E-mail: _____

From: Greg Pease, Chief of Procurement

Initiating Department Representative (Name, Job Title, Department)

Phone: 255-8801

E-mail: gpease@coj.net

Primary Contact: Greg Pease, Chief of Procurement

(Name, Job Title, Department)

Phone: 255-8801

E-mail: gpease@coj.net

CC: Allison Korman Shelton, Director of Intergovernmental Affairs, Office of the Mayor

904-630-1825 E-mail: akshelton@coj.net

COUNCIL MEMBER / INDEPENDENT AGENCY / CONSTITUTIONAL OFFICER TRANSMITTAL

To: Peggy Sidman, Office of General Counsel, St. James Suite 480

Phone: 904-630-4647

E-mail: psidman@coj.net

From: _____

Initiating Council Member / Independent Agency / Constitutional Officer

Phone: _____

E-mail: _____

Primary Contact: _____

(Name, Job Title, Department)

Phone: _____

E-mail: _____

CC: Allison Korman Shelton, Director of Intergovernmental Affairs, Office of the Mayor

904-630-1825 E-mail: akshelton@coj.net

Legislation from Independent Agencies requires a resolution from the Independent Agency Board approving the legislation.

Independent Agency Action Item:

Yes

No

Boards Action / Resolution?

Attachment: If yes, attach appropriate documentation. If no, when is board action scheduled?

FACT SHEET IS REQUIRED BEFORE LEGISLATION IS INTRODUCED



MEMORANDUM

TO: Sam E. Mousa, MBRC Chair

THROUGH: Mike Weinstein, Director, Finance and Administration

FROM: Greg Pease, Chief, Procurement Division

RE: Request for Legislation to Amend Ordinance Code Ch. 126

We respectfully request MBRC approval to submit legislation in order to amend Ordinance Code Ch. 126 Parts 2 & 3 for Sole Source and Proprietary purchases. The requested amendment is to satisfy a Council Auditor recommendation and our own desire to simplify the sole source and proprietary classification process by moving to just a "single source" designation similar to what is used by the State of Florida.

This will eliminate the need to classify a single source procurement as either proprietary or sole source.

Your consideration and approval of this action is greatly appreciated.

GP/

Attachments

APPROVED BY:
MAYOR'S BUDGET
REVIEW COMMITTEE

DATE DEC 1 2 2016