

ORDINANCE NO. 5181

AN ORDINANCE AMENDING ORDINANCE 5176 ADOPTING THE CITY OF GRAND JUNCTION PROCUREMENT POLICY MANUAL DATED OCTOBER 4, 2023, AND ESTABLISHING A POLICY AND PROCEDURE REGARDING SELF PERFORMED WORK BY THE CITY OF GRAND JUNCTION, COLORADO

RECITALS:

On October 4, 2023, the City Council adopted and approved Ordinance 5176 and with that action established certain purchasing and procurement policies for the City. Those policies and procedures are collectively known as the City of Grand Junction Procurement Policy Manual (Purchasing Policy Manual or Manual).

The policies adopted in the Manual provide a systematic, consistent, unified, and standardized purchasing program. That program is expected to provide efficient and effective procurement procedures for the City. When the Manual was adopted the City Council discussed creating a self-performance policy. The City Council declined the staff proposed self-performance policy and remanded the matter to the City staff for further refinement.

By and with this Ordinance the City Council, having duly considered the proposed limited self-performance policy recommendations in the form attached, does as provided by the City Charter, hereby amend Ordinance 5176 to include in Purchasing Policy Manual the attached self-performance policy. And furthermore, the City Council does direct the City Manager to implement the Manual as amended, as necessary and/or deemed advisable to achieve the highest efficiency and effectiveness for City purchasing programs, activities, and services, including but not limited to those self-performed by the City within the prescribed framework of rules and regulations, all of which are designed to protect the public interest.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO THAT:

1. The foregoing Recitals are incorporated and adopted, and in accordance with and pursuant to this Ordinance, the City Council of the City of Grand Junction amends Ordinance 5176 to include the attached self-performance policy in the rules and regulations as published in the City of Grand Junction Procurement Policy Manual dated October 4, 2023.
2. That the attached self-performance policy amendment to the City of Grand Junction Procurement Policy Manual dated October 4, 2023, shall become effective and be applied when and after this Ordinance becomes effective as provided by the City Charter.

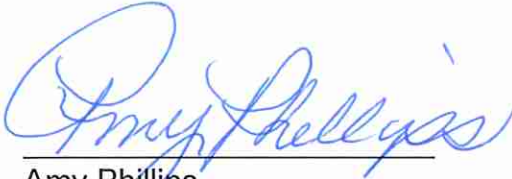
3. That from and after the adoption of this Ordinance that the self-performance policy shall not be changed without the approval of a majority of the City Council.
4. Within sixty days of the first anniversary of the adoption of this Ordinance the City Council shall consider the effectiveness of the Ordinance at achieving the City Council policy(ies) stated in the City of Grand Junction Procurement Policy Manual dated October 4, 2023 as amended by and with the adoption of this Ordinance.

INTRODUCED ON FIRST READING, PASSED for publication in pamphlet form and setting a hearing for November 1st, this 18th day of October 2023.

HEARD, PASSED and ADOPTED ON SECOND READING and ordered published in pamphlet form this 1st day of November 2023.



Anna M. Stout
President of the Council



Amy Phillips
City Clerk



I HEREBY CERTIFY THAT the foregoing Ordinance, being Ordinance No. 5181 was introduced by the City Council of the City of Grand Junction, Colorado at a regular meeting of said body held on the 18th day of October 2023 and the same was published in The Daily Sentinel, a newspaper published and in general circulation in said City, in pamphlet form, at least ten days before its final passage.

I FURTHER CERTIFY THAT a Public Hearing was held on the 1st day of November 2023, at which Ordinance No. 5181 was read, considered, adopted and ordered published in pamphlet form by the Grand Junction City Council.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said City this 6th day of November 2023.


Deputy City Clerk

Published: October 20, 2023
Published: November 3, 2023
Effective: December 3, 2023



Self-Performance of Construction of Public Improvement Works

This Chapter establishes and describes the City's self-performance policy for the construction of public improvement works. The policy provides a means for the City to obtain cost-effective and high-quality construction of certain project(s).

To maintain transparency, fairness, and accuracy under this policy, the City:

- 1) will annually, with and through the budget adoption, identify and recommend to the City Council opportunities for the City to self-perform certain construction project(s);
- 2) with the adoption of the annual budget that identifies self-performance project(s) the City Council will be deemed to have conditionally approved self-performance and the City staff may plan for that work to be self-performed; however,
- 3) prior to commencement of any project(s) designated in the approved budget for self-performance the City Council at a noticed public hearing must approve the project(s) being self-performed by City forces; however, if a project(s) is(are) not identified in the approved budget as an opportunity for the City to self-perform, the City Council may approve such project(s) so long as it is reviewed/approved by the City Council as otherwise provided in this policy.

Self-Performance of Construction of Public Improvement Works will be a recognized exception to a competitive solicitation process. The City Council will confirm City self-performance of those project(s) identified in the approved annual budget, or such project(s) that may sometimes arise from time to time that are not identified in the budget, when the City Council reasonably finds that the estimated cost of materials and supplies to perform the project(s) identified and recommended to the City Council as an opportunity(ies) for the City to self-perform are reasonable at the time the project(s) is(are) to be constructed and that the following criteria are met:

- 1) The City forces have a thorough understanding of the task(s) to be completed; and,
- 2) The City forces have trade-specific experience which will result in an accurate, efficient, dependable schedule(s) and performance of the work; and,
- 3) That the City forces follow and enforce safety standards, and that their work will perform the work safely and support the City's safety policies and practices; and,
- 4) The City has adequate labor, they have investigated the material options and determined availability and proper cost of materials and supplies and have considered the market relating to both, and that the City forces have recommended products and means and method of construction that will provide the best value to the City for each project.

At the conclusion of any self-performed project(s) the City Manager shall report to the City Council the cost of the materials and supplies purchased or rented for the project, the duration of the project, the number of hours of direct labor and direct supervision necessary for completion of the project(s) and any safety infraction(s) committed by City personnel.

The City recognizes and agrees that self-performing is not right for every project; however, with the identification of opportunities for self-performance of certain projects in the annual budget or

such project(s) that may sometimes arise from time to time that are not identified in the budget, and confirmation of self-performance prior to commencement of the project(s) as provided in this policy, the City is afforded the opportunity for added value and efficiency by self-performance of certain project(s).

Self-performance by the City of some project(s) creates knowledge and experience among the City staff and improves the ability of the Staff to assess contractors' work for those projects that are competitively bid. With that knowledge the City staff is better equipped to hold contractors accountable in terms of staffing, scheduling, estimating, and quality and maximizes the stewardship of public money.