

BILL NO. 4851

ORDINANCE NO. 4627

AN ORDINANCE AMENDING THE LAKE SAINT LOUIS MUNICIPAL CODE TITLE I: GOVERNMENT CODE, CHAPTER 140 PROCUREMENT, RELATING TO PURCHASING LIMITS.

WHEREAS, the purchasing limits in the City's procurement requirements have been in place since 2009; and

WHEREAS, the Board of Aldermen has determined that it is reasonable and necessary to modify the City's procurement requirements by raising existing purchasing limits.

Now, therefore, be it ordained by the Board of Aldermen for the City of Lake Saint Louis, Missouri as follows:

SECTION 1. The following provisions of Title I: Government Code of the Lake Saint Louis Municipal Code, Chapter 140 Procurement, Article I Purchasing System and Article II Selection of Professional Services, are hereby amended only as shown in Exhibit A attached hereto and made a part hereof (additions in bold, deletions struck through). All Sections of Chapter 140 not set out therein shall remain in full force and effect.

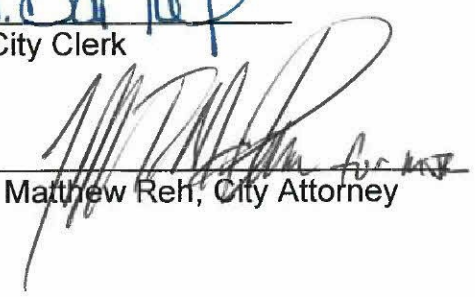
SECTION 2. All other code sections shall remain in full force and effect.

SECTION 3. This ordinance shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED THIS 15<sup>th</sup> DAY OF April, 2024.

  
\_\_\_\_\_  
Jason Law, Mayor

ATTEST:   
\_\_\_\_\_  
Donna F. Daniel, City Clerk

APPROVED AS TO FORM:   
\_\_\_\_\_  
Matthew Reh, City Attorney

# **Exhibit A**

## **Chapter 140**

### **PROCUREMENT**

#### **ARTICLE I**

##### **Purchasing System**

**Section 140.060. Formal Contract Procedure.**

**Section 140.062. Purchase Order.**

#### **ARTICLE II**

##### **Selection of Professional Services**

**Section 140.190. Classes of Services and  
Selection Process.**

ARTICLE I  
Purchasing System

Section 140.060. Formal Contract Procedure.

A. *Procurement Of Budgeted Supplies, Equipment And Services.*

1. The following procedures shall apply when procuring supplies, equipment or services that have been adopted within the City budget by the Board of Aldermen and the purchase of the supplies, equipment or services is less than the budgeted amount. All supplies, equipment and services, except as otherwise provided in this Article, when the estimated cost thereof shall be less than one thousand **five hundred** dollars (~~(\$1,000.00)~~ **(\$1,500.00)**), supplies, equipment and services shall be purchased by approval of the department head and the City Administrator or his designee without bids or proposals. Department heads shall always strive to maximize value and to minimize costs when making these purchases; when the estimated cost shall be one thousand **five hundred** dollars (~~(\$1,000.00)~~ **(\$1,500.00)**) but less than five thousand dollars (\$5,000.00), supplies, equipment and services shall be purchased after receipt of three (3) verbal proposals and approval of the department head and the City Administrator or his designee; when the estimated cost shall be five thousand dollars (\$5,000.00) but less than ~~fifteen~~ **twenty-five** thousand dollars (~~(\$15,000.00)~~ **(\$25,000)**), supplies, equipment and services shall be purchased after receipt of three (3) written proposals and approval of the City Administrator or his designee; when the estimated cost shall be ~~fifteen~~ **twenty-five** thousand dollars (~~(\$15,000.00)~~ **(\$25,000.00)**) or more, supplies, equipment and services shall be purchased after receipt of sealed bids or proposals with due notice and approval of the Board of Aldermen. The Board of Aldermen may expressly waive the sealed bids or proposals requirement for purchases exceeding ~~fifteen~~ **twenty-five** thousand dollars (~~(\$15,000.00)~~ **(\$25,000.00)**) upon their determination that this requirement causes unnecessary costs to the City.
2. These procedures shall apply to all purchase requisitions submitted for supplies, equipment and services.
3. The City Administrator is authorized to sign contracts that have a value less than ~~fifteen~~ **twenty-five** thousand dollars (~~(\$15,000.00)~~ **(\$25,000.00)**) as long as the contract is for budgeted supplies, equipment or services and the contract amount is within budget.

- B. *Procurement Of Vehicles From State, County, Municipality Bid Contracts.* The following procedures shall apply when procuring vehicles that have been adopted within the City budget by the Board of Aldermen and the purchase of the vehicles is less than the budgeted amount. The City Administrator is authorized to purchase vehicles that have been awarded through a competitive procurement process for a State, County or municipal bid.

Section 140.062. Purchase Order.

*Blanket Purchase Orders.* Blanket purchase orders are allowed with the approval of the department head and the City Administrator. Blanket purchase orders less than one thousand **five hundred** dollars (~~(\$1,000.00)~~ **(\$1,500.00)**) and within the budgeted line item amount may be authorized by the department head. Blanket purchase orders more than one thousand **five hundred** dollars (~~(\$1,000.00)~~ **(\$1,500.00)**) and less than ~~fifteen~~ **twenty-five** thousand dollars (~~(\$15,000.00)~~ **(\$25,000.00)**) also within the budgeted line item amount may be authorized by the City Administrator.

ARTICLE II  
Selection of Professional Services

Section 140.190. Classes of Services and Selection Process.

A. Projects will be divided into three (3) classes as follows:

1. *Class A.* Services for projects where fees are less than ~~fifteen~~ **twenty-five** thousand dollars (~~(\$15,000.00)~~ **(\$25,000.00)**). When a department of the City identifies a project for which professional services will be necessary, the department will draft a scope of services for the specific project. The scope of services will be submitted to the City Administrator for authorization to initiate the project. The scope of services should include the following:
  - a. A description of the work required and its objectives.
  - b. The nature of specific tasks and services to be accomplished.
  - c. The type and amount of assistance to be given by the City department involved.
  - d. Required time frame.
  - e. Financial conditions or limitations; grant programs involved.

Advertising for this class of project is exempt. The City Administrator shall have discretion regarding the necessity to require a competitive selection process for this class of project, and shall have the authority to sign all necessary documents securing the services of the professional service contractor.

2. *Class B — design professionals.* Services for projects where fees are ~~fifteen~~ **twenty-five** thousand dollars (~~(\$15,000.00)~~ **(\$25,000.00)**) or more. Selection of design professionals:
  - a. *Request for proposals.* The department responsible for delivery of the project in question shall select not less than three (3), and not more than five (5), of the firms from the roster, and shall request a statement of qualifications for the specific project and a written technical project approach from each of the selected firms. After receiving the responses to the request for a statement of qualifications and a technical project approach, the purchasing agent and department director shall review and rank the responses.
  - b. *Review.* After the firms have been ranked by the staff members, the highest ranked firm, and the basis for its selection, shall be submitted to the Board of Aldermen for its approval. If the staff selection is rejected, then the firm with the next highest ranking, and the basis for its selection, shall be submitted for approval. This selection process shall continue until a firm has been approved or until the staff's list has been exhausted.
  - c. *Negotiations.*
    - (1) The approved firm shall then meet and negotiate with the director of the department, requiring the service, to define in detail the scope of service to be provided and the compensation for those services.
    - (2) If, after reasonable efforts, the staff members determine that the contract cannot be negotiated, then the negotiations with the approved firm shall be terminated, and the negotiations shall begin with the next firm approved.
    - (3) Upon completion of negotiation of the scope of services and the compensation, a contract shall be prepared and submitted to the Board of Aldermen for approval.

3. *Class C — other professionals.* Services for projects where fees are ~~fifteen~~ **twenty-five** thousand dollars ~~(\$15,000.00)~~ **(\$25,000.00)** or more.

a. *Project initiation.* When a department of the City identifies a project for which professional services will be necessary, the department will draft a scope of services for the specific project. This scope of services will be submitted to the City Administrator for authorization to initiate the project, and a determination as to which type of screening and selection committee will be required. The scope of services should include the following:

- (1) A description of the work required and its objectives.
- (2) The nature of specific tasks and services to be accomplished.
- (3) The type and amount of assistance to be given by the City department involved.
- (4) Required time frame.
- (5) Financial conditions or limitations; grant programs involved.

b. *Expressions of interest.* After authorization, the administering department will contact those firms on the roster and those firms responding to advertisements for a written expression of interest in the specific project. The request should invite comment as to the special experience in the project being considered, describe previous experience with similar projects, and the availability of the firm to provide required service within any time limitations.

c. *Initial screening and requests for proposals.* The expressions of interest will then be presented to the appropriate screening and selection committee for initial screening. Factors to be determined in the initial screening will include:

- (1) Specialized experience in the type of work required.
- (2) Record of the firm in accomplishing work on other projects in the required time.
- (3) Quality of work previously performed by the firm for the City.
- (4) Experience showing accuracy of cost estimates.
- (5) Community relations including evidence of sensitivity to citizen concerns.
- (6) Geographic location of the office of the firm which would serve the project.
- (7) Qualifications and experience of key personnel.
- (8) Relations with previous clients.

The screening committee will designate three (3) or four (4) firms who will be requested to present detailed proposals on the project and be interviewed.

d. *Detailed proposals.* Firms submitting detailed proposals will be asked to provide the following:

- (1) A resume of the firm principal who will be responsible for the project.
- (2) A resume of the proposed project supervisor.
- (3) Resumes of key project personnel.

- (4) A statement of the ability of the firm to meet required time schedules.
  - (5) A description of how the project would be conducted.
  - (6) A schedule of hourly rates for various services offered and a proposed project fee range.
  - (7) A list of municipal references for similar types of projects.
  - (8) Any other pertinent information the firm wishes to present.
- e. *Interview and selection.* Upon receipt of the detailed proposal, the selection and screening committee will be convened to review selections as to the firm for the project. The prime factors to be rated in the final screening are:
- (1) Management capabilities.
  - (2) Technical capabilities.
  - (3) Approach to the project.
  - (4) Understanding of City's objectives.
  - (5) Proposed work schedule.
  - (6) Staff to be assigned.
  - (7) Fee and/or schedule of hourly rates.
  - (8) Knowledge of local situation.
  - (9) Ability to communicate.
  - (10) Presentation and attitude.
  - (11) Confidence factor.
- f. *Contract negotiation.* The selected firm will then be requested to come in for a final conference with the screening and selection committee to define precisely the scope of service to be provided and to finalize the compensation requirements for the work. A contract is prepared and submitted to the City Attorney for review and then submitted to the Mayor and Board of Aldermen for approval.

If, after reasonable effort, a contract cannot be negotiated, the negotiations with the designated firm shall be terminated and negotiations shall be started with the next firm recommended.

B. *Exceptions.*

1. In view of the fact that special conditions will occasionally arise that make use of this policy impractical, there can be exceptions made. Reasons for exceptions may include an emergency situation which precludes a selection time frame of at least two (2) months, or an extremely specialized need in which there is only one (1) feasible source of expertise. If it appears there is a need for an exception to the policy, the Mayor will inform the Board of Aldermen to allow them the opportunity to deny the exception.
2. If the number of firms willing and available to perform a specific task is small, the step involving initial screening may be skipped and the selection process will go directly to detailed proposals.