



MEMORANDUM

TO: GOVERNANCE COMMITTEE

CC: JOHN FLYNN, BARBARA HAYMAN

FROM: VALTER VIOLA (CORTEX)

SUBJECT: INTERNAL ORS POLICY REGARDING THE PROCUREMENT AND CONTRACTING OF GOODS AND SERVICES

DATE: DECEMBER 19, 2024

A few months ago, each of the two Boards approved:

- the *Policy Regarding Procurement and Contracting of Goods and Services* (the “Policy”); and
- directed ORS to provide a copy of the Policy to the City Finance Director for comment.

The attached Policy reflects the City’s comments, which related only to paragraph 7 (below).

Goods and Services Governed by the City’s Policies/Rules (not this Policy)

- 7) Contracts for goods ~~or non-professional¹/non-critical plan administrative function~~ and services ~~procured pursuant to SJMC § 4.12 that (1) exceed the Competitive Procurement Threshold (\$10,000 on December 31, 2023), as defined in SJMC § 4.12.210(a), in total value for the duration A and (2) are not covered under Paragraph 10 and 11 of the contract term~~ this Policy, shall comply with the City’s rules on procurement and contracting pursuant to SJMC §§ 4.12.001 *et seq* and not this Policy.

¹ ~~“Professional services” has the same meaning as used in the City’s Administrative Policy Manual Ch. 5.1.~~

The other (minor) proposed changes are below.

- Refer to the Joint Ad Hoc Committee as “JAH~~C~~”, rather than “JAC”, in paragraph 13.
- Decrease the review frequency to 5 years (from 2) in paragraph 53.
- Document (under “Policy Review and History”) the fact that the Boards directed ORS to share a draft of this Policy with the City for its review and comments on Aug 15, 2024 (Federated) and Sep 5, 2024 (P&F) in paragraphs 54 and 55 respectively.

Reed Smith has reviewed these changes.