

REQUEST FOR COUNCIL ACTION

Date: August 24, 2009
Item No.: 12.e

Department Approval

City Manager Approval



Item Description: Discussion of Professional Services Contracts

BACKGROUND

At the August 17, 2009, Council meeting, the Council adopted a professional services policy in which “the City Council should be represented in the interviews and evaluation of candidate firms for Civil Attorney services, including the determination of evaluation criteria.”

REQUESTED COUNCIL ACTION

Motion appointing a Councilmember to help determine the evaluation criteria and interview candidate firms for Civil Attorney services.

Prepared by: Bill Malinen, City Manager
Attachments: A: August 17, 2009 draft minutes
B: Professional Services Policy

Excerpt from the 8/17/09 Draft City Council Minutes**a. Adopt Professional Services Policy**

City Manager Malinen presented a summary of the revisions in the proposed Professional Services Policy for City Council consideration.

Mayor Klausing addressed remaining concerns on page 2, lines 3 – 5 related to the City Council’s representation in evaluations and/or interviews of candidates. Mayor Klausing expressed concern that this blurred the City Council’s policy role and the City Manager’s managerial functions, and the City Manager’s hiring of City Attorneys subject to City Council approval. Mayor Klausing advised that he had no problem if a Councilmember wanted to participate, however, he preferred that it not be mandated. Mayor Klausing further noted that this should remain a City Council matter, and not be formally adopted as part of this policy.

Discussion included individual Councilmember involvement and preference to have input into the evaluation process, to allow a conduit to the City Manager to address and concerns, or to express positive comments; parallels and distinctions with the Mayor’s role in appointing HRA Commissioners, subject to City Council approval; the need to acknowledge the City Council’s role in the process; original language proposed by Councilmember Roe distinguishing between “should” and “shall;” statutory provisions for the City Council and City Manager; and interaction between the City Council, staff and the civil attorney of record.

Roe moved, Pust seconded, adoption of the Professional Services Policy as presented in the Request for Council Action dated August 17, 2009; with a technical amendment on page 1, line 23 (Item 2) correcting “Ensures...” “Ensure...”

Roll Call

Ayes: Pust; Johnson; Roe and Klausing.

Nays: None.

CITY OF ROSEVILLE

Professional Services Policy

Background

The City of Roseville retains outside firms or individuals to provide professional services in many areas, including:

1. Legal (Prosecution, Civil, Economic Development, and Bond Counsel)
2. Appraisal
3. Planning and Landscape Design
4. Audit
5. Engineering, Architectural, and Environmental

The City enters into professional services contracts for specific projects or services, for a specific period of time.

Purpose

The City of Roseville has determined that it is good public policy to utilize a method of selecting and retaining professional services in order to:

1. Ensure Citywide consistency in the process of selecting and retaining professional services.
2. Ensure public confidence in process integrity by providing maximum transparency and avoiding long-term relationships that are insulated from the economic market forces of open competition.
3. Ensure that the City obtains the best overall value for its investment when retaining professional services.
4. Ensure a regular, consistent fiscal review of professional services.

Policy

Contracts for professional services shall be for terms of not more than three (3) years. Multi-year contracts shall not be renewed at their expiration, except as a result of a competitive selection process consistent with this policy, unless this requirement is waived by a vote of the City Council.

Multi-year contracts shall include an annual performance review to ensure that the purposes of the contract are being met with reporting of results to the City Council. All contracts shall, by their terms, allow the City to terminate the contract prior to completion if the City determines that the contract does not continue to serve the City's purposes.

Selection of firms shall be through a competitive process, using a "best overall value" approach whenever applicable and appropriate.

All professional services contracts shall be approved by the City Council.

The City Council should be represented in the interviews and evaluation of candidate firms for

Civil Attorney services, including the determination of evaluation criteria.

Firms selected to provide professional services to the City of Roseville:

1. Will avoid any conflicts of interest and commit to the principles of the Professional Code of Ethics for their profession and the City of Roseville Code of Ethics for Public Officials.
2. Will conduct their business through designated Roseville City staff as approved by the City Manager.
3. Will not represent any individual or corporation involved in litigation against the City of Roseville.
4. Will comply with all applicable state and federal laws and local ordinances.