

FINANCE COMMITTEE

10-073-0

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING SECTION 41-1 OF THE DULUTH CITY CODE, 1959, AS AMENDED, PERTAINING TO PURCHASING.

CITY PROPOSAL:

The city of Duluth does ordain:

Section 1. That Section 41-1 of the Duluth City Code, 1959, as amended, be amended to read as follows:

Sec. 41-1. Definitions.

For purposes of this Chapter, the following words and phrases shall have the meanings respectively ascribed to them by this Section:

Contractual services. ~~All telephone, gas, water, electric light and power service, towel and cleaning service, insurance, leases for all grounds, buildings, office or other space required by the using agencies and the rental, repair or maintenance of equipment, machinery and other city owned personal property~~ An agreement entered into by a municipality for the sale or purchase of equipment or the rental thereof, or the construction, alteration, repair or maintenance of real or personal property. The term shall not include professional and other contractual services which are in their nature unique or noncompetitive.

Supplies. All supplies, and ~~materials and equipment.~~

Using Agency. Any department, agency, commission, bureau or other unit in the city government using supplies or procuring contractual services, as provided for in this Chapter.

Section 2. That this ordinance shall take effect 30 days after its passage and publication.

Approved:

  
Department Director

Approved for presentation to council:

  
Chief Administrative Officer

Approved as to form:

  
Attorney

Approved:

  
Auditor

PRCH/ATTY TL:dma 12/15/2010

STATEMENT OF PURPOSE: This ordinance removes obsolete language and brings the definition of contractual services into substantial conformance with the definition of contract set forth in Section 471.345 of the Minnesota Statutes. This change provides consistency with the state requirements. Including the statutory language will also provide guidance regarding questions of interpretation.