

By Johnson

**Amending Title 2, Chapter 18 of the Minneapolis Code of Ordinances relating to Administration: Purchasing.**

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 18.100 of the above-entitled ordinance be and is hereby repealed.

~~**18.100. Contracts.** Whenever a formal contract in writing for the sale or purchase of supplies, materials, equipment or the rental thereof, or the construction, alteration, repair or maintenance of real or personal property shall be required, it shall be drawn by the city attorney, except contracts for the park board, which shall be drawn by the attorney for said board, and in case of city contracts shall be signed on behalf of the city by the mayor, or the person designated by the mayor pursuant to Chapter 3, Section 1, of the City Charter to sign contracts under the mayor's direction, and purchasing agent, and countersigned by the city finance officer after review and approval by the finance officer, pursuant to administrative guidelines adopted for the finance department for such contracts, and in case of board contracts shall be signed on behalf of the board by the president of such board and the purchasing agent, attested by the secretary of such board and countersigned by the city finance officer, before it shall be effectual for any purpose. Every such contract shall be accompanied by a bond of the contractor to city or the board making the contract for the full amount of the contract price, with sufficient surety to be approved by the city finance officer. A duplicate original of such contract and original bond shall be delivered to the city finance officer, which bond shall be conditioned for the faithful performance of the contract and the delivery of the supplies and materials specified in accordance with the contract and bid proposal of the contract, as the contract price and at such times and in such amounts as may be satisfactory to or ordered by the purchasing agent, and to indemnify the city from any and all loss and damage sustained by it through failure by such contractor to faithfully and fully perform the agreement. A copy of such contract shall be delivered to the department or board for which the contract was made. When an act is required of the finance officer under this section, that act may be performed by the person acting as finance officer pursuant to Chapter 3, Section 11, of the City Charter.~~

Section 2. That Chapter 18 of the Minneapolis Code of Ordinances be amended by adding thereto a new Section 18.100 to read as follows:

**18.100. Bidded contracts.** Contracts for the sale or purchase of supplies, materials, equipment or the rental thereof, or the construction, alteration, repair or maintenance of real or personal property shall be drawn by the city attorney, except contracts for the

park board, which shall be drawn by the attorney for the park board. These contracts shall be signed by the city finance officer or the finance officer's designee pursuant to administrative guidelines adopted by the finance department. Board contracts shall be signed by the president of the board and the city finance officer or the city finance officer's designee. Contracts shall be accompanied by a performance bond and a payment bond of the contractor to the city or the board making the contract for the full amount of the contract price or some other amount determined by the finance officer that is reasonable and necessary for the protection of the city. The city finance officer or the city finance officer's designee shall sign the bonds. Copies of all contracts shall be kept by the finance department and copies shall be sent by the finance department to the appropriate city departments or boards.

Section 3. That Chapter 18 of the Minneapolis Code of Ordinances be amended by adding a new Section 18.105 to read as follows:

**18.105. Other contracts.** All other contracts not regulated by section 18.100, including but not limited to contracts for professional services, leases, joint powers agreements, maintenance agreements, real estate sales, purchases or leases, inter-governmental agreements, or any other contract shall be in written form approved by the city attorney. Contracts made and executed pursuant to Chapter 4, Section 25, of the City Charter shall be in written form approved by the city attorney and consistent with the policies and procedures of the finance department or other directive of the city's finance officer. Performance bonds and payment bonds will be required for these contracts at the discretion of the city's finance officer.