

AN ORDINANCE AMENDING AMC CHAPTER 2.66.070 TO INCLUDE A DEFINITION OF "PERSONAL SERVICES CONTRACT" AND DECLARING AN EMERGENCY.

WHEREAS, The City of Albany has adopted AMC Chapter 2.66, setting forth the procedures under which City procurements will be made; and

WHEREAS, AMC 2.66.070 contains terms specifically relevant to Personal Services Contracts; and

WHEREAS, AMC Chapter 2.66 can be made more clear by including, within AMC 2.66.070, a definition of the term, "Personal Services Contract."

NOW, THEREFORE, THE PEOPLE OF THE CITY OF ALBANY DO ORDAIN AS FOLLOWS:

Section 1: Amendment of AMC 2.66.070. AMC 2.66.070 is amended to read as follows

*2.66.070 Personal Services Contracts.*

(1) Except for architect, engineers, land surveyors, and related service providers, whose appointment shall be governed by the model rules, the City Manager or his/her designee may determine the procedures to be employed in the selection of personal service contractors. These procedures may include any of the procedures authorized for the procurement of goods and services under the Model Code including direct appointment **or acquisition**. The City Manager may promulgate policies and procedures, which shall provide guidance concerning selection procedures to be employed for certain contracts or classes of contracts. Any policies and procedures adopted by the City Manager as provided above are for internal City purposes only and do not limit or proscribe the authority of the City Manager or his/her designate regarding any particular contract.

(2) **Personal services contract means, in general, a contract with an independent contractor predominantly for services that require special training or certification, skill, technical, creative, professional or communication skills or talents, unique and specialized knowledge, or the exercise of judgment skills, and for which the quality of the service depends on attributes that are unique to the service provider. Such services specifically include, but are not limited to, the services of architects, engineers, land surveyors, attorneys, auditors and other licensed professionals, artists, designers, computer programmers, performers, consultants and property managers. The City Manager or designee shall have discretion to determine whether additional types of services not specifically mentioned in this paragraph fit within the general definition of personal services.**

Section 2: Emergency Declared: In as much as this ordinance is necessary for the immediate preservation of the public peace, health, and safety of the city of Albany, and an emergency is hereby declared to exist; this Ordinance shall take effect and be in full force and effect when signed by the Mayor.

Passed by the Council: November 15, 2006

Approved by the Mayor: November 15, 2006

Effective Date: November 15, 2006

ATTEST:

  
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City Clerk

  
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Mayor