CITY OF NEW ORLEANS
CHIEF ADMINISTRATIVE OFFICE

POLICY MEMORANDUM NO. 8(R) **September 9, 1996**

TO: All Departments, Boards, Agencies, and Commissions

FROM: Marlin N. Gusman, Chief Administrative Officer

SUBJECT: **PROFESSIONAL SERVICES CONTRACTS**

I. PURPOSE.

This policy is revised to incorporate provisions of the Home Rule Charter as amended through January 1, 1996 and Executive Order MHM 96-020.

II. POLICY.

The Mayor has the legal authority to select contractors for professional services for the City except those administered by the City Council. Executive Order MHM 96-020 establishes the competitive selection process required by the Home Rule Charter. Contracts for $15,000 or less are exempt from the competitive selection process.

The City has established a format or boilerplate to be used when preparing a professional services contract. The boilerplate includes clauses to protect city government. Paper and computer disk copies of the boilerplate are available.

The contractor is the first signer of a contract. Before the Mayor executes a contract with his signature, it must be reviewed by designated departments. A contract number is assigned by the Law Department. By City Charter, a function of the Department of Law is to prepare or review all contracts for form and legality, indicated by an approval line on the contract signature page. By this policy, the Department of Law is to consider the City's liability when reviewing contracts. The contracts check sheet indicates review by each designated department. Funds for a contract shall be encumbered prior to executing the contract. After being executed by the signatures of the contractor and the Mayor, contract copies are distributed to the contractor, Department of Finance, and Department of Law.

III. INQUIRIES.

Copies of Executive Order MHM 96-020 detailing the competitive selection process are available from the Chief Administrative Office. Detailed instructions with citations for legal authority, guidelines for determining the need for a contract, requests for proposals, and appeals

process, preparing a contract, and the reviews process, with check sheet, are available from the Chief Administrative Office, Special Projects, Room 9E01, City Hall, telephone 565-6524. Offices should request a copy, on paper or computer disk, when considering a professional services contract.

MNG/LRF/itb