Stormwater Committee
Committee Meeting Agenda
March 10, 2021
4:30 PM
Online Meeting

Meeting Connection Information

As a precautionary measure to help prevent exposure to and spread of COVID-19, the Stormwater Committee meeting scheduled for 4:30 p.m. on Wednesday, March 10, 2021, will be held virtually as a Zoom meeting.

Citizens are encouraged to participate and submit public comments in the following ways:

1. **Video Livestream** - Watch a live online broadcast of the Stormwater Committee meeting using the following link:
   <https://us02web.zoom.us/j/87393404784>.
   The public will be required to provide a name and email address to enter the meeting (the email address will not be saved or used to contact you). Citizens will have the opportunity to make public comments live during the meeting using the Zoom program.
2. **Teleconference** - Call in to the meeting by dialing (312) 626-6799 and entering meeting ID 873 934 4784 when prompted.
3. **Email** - Questions or comments that citizens wish the Stormwater Committee to consider may be emailed to the City. In order for questions and comments to be considered at this meeting, those questions or comments must be submitted no later than 5:00 p.m. on Tuesday, March 9, 2021. Submit questions and comments to Matt Wohlberg, City Engineer, at mwohlberg@crevecoeurmo.gov.

I. Call Meeting to Order

II. Roll Call

III. Approval of Agenda

IV. Approval of Minutes

1. Approval of February 10, 2021 Stormwater Committee Meeting Minutes

V. Public Comments

There are no speakers scheduled for this meeting.

VI. New Business

There is no New Business scheduled for this meeting.

VII. Unfinished Business

A. Capital Improvement Program

i. Stormwater Management Plan

Staff has included additional information and a recommendation in the packet regarding the proposed stormwater management plan.

1. Responses to Questions from Laura Catalano

2. Staff Recommendation for Stormwater Management Plan

ii. Recommendation for FY2022-FY2026 CIP

Excerpts from the proposed five-year capital improvement program (CIP) are included in the Stormwater Committee's packet for review. Staff seeks the Committee's recommendation to the City Council regarding the proposed stormwater projects.

1. Staff Report: Stormwater Projects in Proposed Capital Improvement Program

B. Stormwater Concerns Update

Staff will provide a summary for each stormwater concern that has been reviewed since the December Stormwater Committee meeting.

i. Stream Bank Erosion - Fernridge Creek at Gascogne Court

Stream bank erosion along Fernridge Creek has reportedly progressed over the years and is now threatening one of the property corners at 13104 Gascogne Court. Staff will share their observations about the situation there.

ii. Pipe Condition and Flooding - Ferntop Lane

Staff met with the residents at 12958 and 12970 Ferntop Lane to review one resident's concern about a deteriorating pipe and another resident's concern about basement flooding in August.

iii. Backyard Drainage and Street Ponding - Broadview Farm

Staff met with a resident to discuss her concerns about stormwater runoff from the Priory property and ponding on Broadview Farm near her driveway.

C. Stormwater Projects Update

Staff will review the status of stormwater-related capital improvement projects with the Committee.

i. Spoede at Ladue (MSD)

MSD's contractor has begun construction to improve the stormwater system and restore the road and sidewalk at the intersection of Ladue Road at Spoede Road. Their intent is to complete by May 2021.

VIII. Business from Committee Members

A. Purchasing Policy (Judy Campbell)

Judy Campbell requested a summary of the City's process for soliciting and hiring engineering firms. Staff will discuss the City's qualifications-based selection process for professional services.

The City's purchasing policy is outlined in Chapter 140 of the Municipal Code. Professional services contracts are specifically discussed in Section 140.030 (G).

A copy of Chapter 140 is included in the meeting packet for reference.

1. **Chapter 140 - Purchasing Policy**

IX. Business from Staff Liaison

A. April Meeting

The next Stormwater Committee meeting is scheduled for 4:30 p.m. on Wednesday, April 14. This meeting will be held online using Zoom.

X. Adjournment

Stormwater Committee
Committee Meeting Minutes
February 10, 2021
4:30 PM
Online Meeting

Meeting Connection Information

As a precautionary measure to help prevent exposure to and spread of COVID-19, this meeting was held virtually as a Zoom meeting.

I. Call Meeting to Order

II. Roll Call

Martin Jaffe	Committee Member	(Remote)
Laura Catalano	Vice Chair	(Remote)
George Orton	Committee Member	(Remote)
Richard Koch	Committee Member	(Remote)
Judith Campbell	Chair	(Remote)
Patrick Brown	Committee Member	(Remote)
Vishal Dosanjh	Committee Member	(Remote)
Robert Hoffman	Councilman	(Remote)
Mark Perkins	City Administrator	(Remote)
Jim Heines	Public Works Director	(Remote)
Matt Wohlberg	City Engineer	(Remote)

III. Approval of Agenda

The Committee approved the agenda without revisions.

IV. Approval of Minutes

The Committee approved the minutes from the meeting on December 9, 2020, as written.

1. Approval of December 9, 2020 Stormwater Committee Meeting Minutes

RESULT:	**ACCEPTED [UNANIMOUS]**
MOVER:	Richard Koch, Committee Member
SECONDER:	George Orton, Committee Member
AYES:	Jaffe, Catalano, Orton, Koch, Campbell, Brown, Dosanjh

V. Comments from General Public

Mike Dorgan (416 Hibler Woods Court) made a presentation describing his observations and concerns about stormwater runoff that originates in the Country Forest Subdivision and passes through his yard. Mr. Dorgan stated that he has had to replace a portion of his fence and pool deck due to the saturated ground in his yard. Staff offered to visit the adjacent yards in the Country Forest Subdivision and to visit with Mr. Dorgan at his yard during the spring to see the situation first-hand and to provide advice as to how the situation could be improved.

VI. New Business

Stormwater Committee
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A. Presentation: MSD Proposition Y

Brian Hoelscher, Executive Director and CEO for the Metropolitan St. Louis Sewer District (MSD), presented information about Proposition Y, a proposed bond measure that will help MSD fund four years of capital improvements to the region's sanitary sewer system. Proposition Y will give MSD the ability to issue bonds for the capital improvements.

1. MSD Proposition Y Fact Sheet

RESULT:	**ANNOUNCED**

2. MSD FY2020 Financial Report

RESULT:	**ANNOUNCED**

3. MSD FY2020 Diversity Report

RESULT:	**ANNOUNCED**

B. Presentation: Stormwater Management Plan

Mark Meyer, president of the engineering firm Intuition & Logic, made a presentation to provide his experience with the he scope, process, and purpose of stormwater management plans in the St. Louis area. Mr. Meyer recommended that the City use the analysis of the study to determine which issues can be effectively addressed. For example, he suggested that the City might focus on issues like erosion (that can be addressed within the suburban environment of Creve Coeur) instead of flooding (for which space might not be available to address).

VII. Unfinished Business

A. Capital Improvement Program

Staff reviewed the different funding sources that apply to stormwater capital improvements.

The Committee discussed the capital improvement program at length. Ultimately, the Committee was divided regarding whether to recommend to proceed with a City-wide stormwater management study or to use the funding for that study to address known stormwater issues. The Committee requested additional information and to add a meeting in March to discuss the Capital Improvement Program further.

1. Summary of Stormwater Funding Sources for Capital Improvements

RESULT:	**ANNOUNCED**

B. Stormwater Concerns Update

Discussion about residential stormwater concerns was deferred to the meeting in March due to time.

Stormwater Committee
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Online Meeting

i. Stream Bank Erosion - Fernridge Creek at Gascogne Court

ii. Pipe Condition and Flooding - Ferntop Lane

iii. Backyard Drainage and Street Ponding - Broadview Farm

C. Stormwater Projects Update

Discussion regarding this item was deferred to the March meeting due to time spent discussing other items.

i. Spoede at Ladue (MSD)

VIII. Business from Committee Members

A. Purchasing Policy (Judy Campbell)

This item was deferred to the March meeting due to time spent discussing other agenda items.

1. Municipal Code Chapter 140 - Finances

RESULT:	**DEFERRED [UNANIMOUS]**
MOVER:	Judith Campbell, Chair
SECONDER:	Richard Koch, Committee Member
AYES:	Jaffe, Catalano, Orton, Koch, Campbell, Brown, Dosanjh

IX. Business from Staff Liaison

A. Chief of Police Recruitment Survey

Staff notified the Committee that the City is conducting a survey of residents to determine what they see as important traits for the City's next Chief of Police. Staff provided a link to the survey and encouraged the Committee members to participate.

B. April Meeting

Staff provided the schedule for Stormwater Committee meetings in 2021. The Committee agreed to meet on the second Wednesday of March (March 10) to complete the discussion from the February meeting. The meeting in March will be held online using Zoom.

The Committee's meeting in April is scheduled for 4:30 p.m. on Wednesday, April 14. The April meeting will be held online using Zoom.

1. 2021 Stormwater Committee Meeting Schedule

RESULT:	**ANNOUNCED**

X. Adjournment

Stormwater Committee
Committee Meeting Minutes
February 10, 2021
4:30 PM
Online Meeting

The meeting adjourned at 6:35 p.m.

DEPARTMENT OF PUBLIC WORKS
STAFF MEMORANDUM

DATE: March 8, 2021

TO: Stormwater Committee
Jim Heines, Director of Public Works

FROM: Matt Wohlberg, P.E., City Engineer

SUBJECT: Responses to Questions About Stormwater Management Plan

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Laura Catalano asked several questions regarding the City's stormwater management practices to assist with the discussion regarding the proposes stormwater management plan.

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1. You have mentioned in our discussions that the city has been "putting out fires" with stormwater project funds. In your assessment, why is this the case?

- *Is there a backlog of known stormwater problems that have lacked funding to fix, so only the most serious emergency problems have been fixed recently?*
  or
- *Does the city not have an assessment of the condition of the stormwater infrastructure, so the need for repairs is not known until something fails?*
  or
- *Some combination of other factors?*

How will a stormwater management plan help solve this issue?

The City's current stormwater management practices are based upon the budget and information that are available. The City's capital improvement budget has been stretched thin to cover improvements needed for government facilities, parks, stormwater, streets, and equipment. In addition, the City does not have a comprehensive review of its current stormwater issues. With various needs competing for funds, and with little additional information or justification to make stormwater a priority, investment into stormwater infrastructure would generally need to be based upon the need to fix an outright failure.

A stormwater management plan provides the information needed to provide an organized and prioritized stormwater management program that can be more proactive than our current reactive practices.

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2. Can any local consultants who have done stormwater management plan models, provide examples of problems that the models have identified that were not already known to the city through resident complaints or engineering assessments?

I imagine that nearly every model that is developed finds issues that are in addition to what is known or suspected. Although the 2012 stormwater master plan update did not involve additional modeling, the intuition of the design team suspected that the culvert at Middlebrook Drive was not only in poor condition but that it was significantly undersized, a condition that made a relatively small creek overtop the road in a moderate storm. This intuition was proved true during the design of the culvert replacement project.

DEPARTMENT OF PUBLIC WORKS
STAFF MEMORANDUM

DATE: March 8, 2021

TO: Stormwater Committee
Jim Heines, Director of Public Works

FROM: Matt Wohlberg, P.E., City Engineer

SUBJECT: Recommendation for Stormwater Management Plan

At its meeting on February 10, 2021, the Stormwater Committee discussed the staff proposal that the City develop a stormwater management plan, and ended the meeting undecided about whether such a plan is necessary for the City of Creve Coeur. Staff provides this summary of what a stormwater management plan would offer the City, as well as the staff recommendation to include the stormwater management plan as part of the proposed capital improvement program (CIP).

A stormwater management plan can be as detailed or as general as the City wishes it to be. The City currently operates with a plan document that offers a means to prioritize projects and lists known stormwater concerns. However, the current plan was limited in its scope and only documents investigations into complaints or other known stormwater issues. Further, the current plan offers possible solutions on a similarly limited scale, with little or no investigation into whether the issue is an isolated concern or part of a larger problem. This level of planning has been sufficient for the City, because funding constraints have essentially allowed the City to address only a few issues in the past ten years. These issues have generally been emergencies - projects like a dam failure, collapsed culverts beneath streets, and a separated and collapsing culvert wingwall.

The proposed stormwater management plan would go beyond reviews of individual concerns to investigate the stormwater behavior, infrastructure, and issues throughout the City. The proposed stormwater management plan would be expected to follow a process similar to that outlined below:

- As an initial step, the firm developing the stormwater management plan would gather data from existing studies and use mapping and modeling technology to understand the stormwater situation in Creve Coeur. This will begin to explain why certain issues are happening and will help determine how those issues can be addressed.
- The firm would then seek observations from residents and staff about their concerns before investigating the entirety of each creek in Creve Coeur, in addition to the concerns that were raised by staff and residents. By seeking out issues and deficiencies through its investigation of creeks and neighborhoods, the proposed plan would offer the City a detailed snapshot of stormwater issues in Creve Coeur
- The firm would then develop concept-level design plans and estimates to address the issues that were found. These plans would provide a basic level of detail needed to understand the scope of each issue, what solution is proposed, why that solution makes sense, how many residents are impacted, whether easements are required, and how much the solution is expected to cost.
- Finally, the firm would compile the data gathered, their investigations, and the concept plans into a prioritized list of stormwater improvements.

The proposed stormwater management plan will provide the investigation and detail needed to provide a comprehensive, City-wide plan that will allow the City to be proactive and plan for improvements, rather than to only respond to failures.

A more detailed plan is recommended now, because the residents of Creve Coeur voted to approve the parks and stormwater sales tax in November 2020, and the City faces a new reality with its stormwater management. Revenue from that sales tax will substantially increase the funding available for stormwater improvements in Creve Coeur. Consider that the City has invested an average of approximately $120,000 into stormwater projects each year for the past ten years. The proposed capital improvement program includes an average of about $650,000 per year for stormwater improvements. That amounts to an increase in stormwater investments of over 550%, and that involves a five-year capital plan that includes mainly planning and design. Annual funding levels would be expected to increase as major stormwater projects finish design and begin construction.

With the additional funding possible, the City needs to have a plan that prioritizes stormwater issues and provides clear justification and guidance for which issues to address first.

Staff recommends that the City develop a comprehensive stormwater management plan, because such a plan is needed to guide the City's stormwater projects such that the City has a clear, effective, and prioritized stormwater management program that will benefit as many residents as possible.

DEPARTMENT OF PUBLIC WORKS
STAFF MEMORANDUM

DATE: March 8, 2021

TO: Stormwater Committee
Jim Heines, Director of Public Works

FROM: Matt Wohlberg, P.E., City Engineer

SUBJECT: Proposed Stormwater Projects
FY2022-FY2026 Capital Improvement Program

City staff develops an annual update to the City's Capital Improvement Program (CIP) each winter and the presents the proposed CIP to the City Council, Planning and Zoning Commission, and Finance Committee in the spring. The Planning and Zoning Commission and the Finance Committee review the proposed CIP and provide a recommendation to the City Council. The City Council reviews the recommendations and the proposed CIP before considering approval of the CIP as early as April of each year.

Voters' approval of the parks and stormwater tax in November 2020 has significantly increased the amount of investment the City can make into improving its stormwater infrastructure. This investment is demonstrated in the proposed CIP as an approximate 550% increase in annual funding allocated to stormwater-related projects, as compared to the past ten years.

Proposed Capital Improvement Program
Attached are excerpts from the proposed CIP that pertain directly to stormwater. (The entire draft of the CIP can be found on the City's website at www.creve-coeur.org/95/Capital-Improvement-Program.) The attachments include:

1. CIP report:
    - Executive Summary
    - Parks-Stormwater Tax Fund Summary
    - Project descriptions for stormwater projects
2. CIP report Appendix A
    - Spreadsheet summary of stormwater account and schedule for funding

Proposed Stormwater Improvements. The proposed five-year CIP focuses on planning and design and incorporates construction of several projects with limited scope that aim to address known issues. The primary effort in FY2022-FY2023 will be the development of a City-wide stormwater management plan that will guide the City's stormwater program for the next 15-20 years. Staff predicts that design of the plan's priority projects will begin in FY2024, and construction of improvements may begin near the end of the five-year plan.
The projects proposed to begin construction early in the CIP have generally been deferred in the past due to budget constraints. The projects that are proposed to begin construction in the first two years of the CIP include:

- Alden Lane drain replacement
- Golf Course pond aeration
- Hibler Road roadside drainage improvements
- Hibler Woods drain replacement
- New Ballas Road stream protection and erosion rehabilitation

Committee Action Requested

The proposed CIP includes more stormwater funding and more stormwater improvements than past capital improvement programs have been able to provide. Staff asks the Stormwater Committee to review the proposed stormwater projects in the CIP and to make a recommendation to the City Council regarding the proposal.

EXECUTIVE SUMMARY

The Capital Improvement Program (CIP) is the City's long-range plan for improvements to infrastructure, parks, and other community facilities. The CIP is a tool to assess the long-term capital needs, values, and desires of the City and to establish funding of high-priority projects in a timely and cost-effective manner. This plan is a living document and is subject to amendment by the City Council.

The CIP is intended to ensure that policy makers are responsible to the citizens of Creve Coeur with respect to the expenditure of City funds for capital improvements.

CIP Goals

The following are goals of the CIP:

- Provide a planned replacement of deteriorating infrastructure
- Repair deteriorated infrastructure
- Improve operational or functional aspects of existing infrastructure
- Add new facilities and improve the community's infrastructure to enhance the quality of life in Creve Coeur
- Provide for planned replacement of major equipment required for City operations

CIP Criteria

To be considered a capital improvement, projects or equipment must have a useful life of at least five years and have a minimum cost of $20,000.

A special set of criteria has been identified to assist in assessing and prioritizing CIP projects. Proposed projects reflect the goals of the Comprehensive Plan through their demonstration of these criteria:

- *Availability of Outside Funding*: projects that are eligible for and are likely to be considered for grant funding or shared-cost programs.
- *Beautification:* aesthetic improvements to natural habitats or frequently traveled or visited areas within the City for public enjoyment such as the use of public art on public lands
- *Citizen Demand*: projects that have received a level of demonstrated citizen support or demand, including support of City departments, boards, committees, and commissions.
- *Condition of Existing Facility*: improvements that replace or maintain the City's infrastructure, facilities, or equipment so that it remains in a serviceable, safe, and efficient condition.
- *Coordination (projects, regulations, City-adopted plans)*: projects that fit within planned coordination between multiple projects or agencies to reduce costs or minimize disruption to services, meet state or federal law requirements, or identified in other City-adopted plans.
- *Economic Growth:* projects focused on maintaining housing values and attracting businesses, residents, or visitors to the City. Projects supporting private development must include return on investment ratios or a fully documented cost/benefit analysis.
- *Operating Efficiency*: equipment or facilities improvements to streamline work processes or benefit from technological advancements; projects which reduce the cost of operations will receive priority. Projects which increase the cost of operations shall have identified trade-offs to support those additional costs.
- *Protection & Conservation*: improvements to the City's park system or historical landmarks that allow these facilities to be enjoyed by future generations or projects that reduce the City's environmental impact.

- *Public Safety*: improvements that focus on preserving and protecting the general public from harm and reducing the City's risk exposure.

Relationship between the CIP and the Creve Coeur 2030 Comprehensive Plan

According to the Creve Coeur 2030 Comprehensive Plan:

> *Within the Creve Coeur 2030 Comprehensive Plan Update, many projects are identified or implied, as specific projects or as conceptual ideas. These projects and others, resulting from recommendations of the Comprehensive Plan, should be developed and incorporated in the City's annual CIP review process. Further detail and refinement of identified and conceptual projects, facilities, or infrastructure improvement needs will be required as the implementation of the Comprehensive Plan occurs.*

Development and Adoption of the CIP

According to the City Charter, a draft of the five-year CIP shall be proposed by the City Administrator to the City Council no later than the second regular meeting in February of each year. Prior to the submittal of the draft CIP to the City Council, public input is obtained through the City newsletter, website, and the City's boards, committees, and commissions.

Prior to the City Council's adoption of the CIP, and as required by City Charter, the CIP is submitted to the Finance Committee for recommendations and comments. The Planning & Zoning Commission also reviews the plan emphasizing the location, extent, and character of the proposed projects prior to City Council review, approval, and adoption. A public hearing is held by the City Council to review the final draft of the CIP in March or April, prior to adoption.

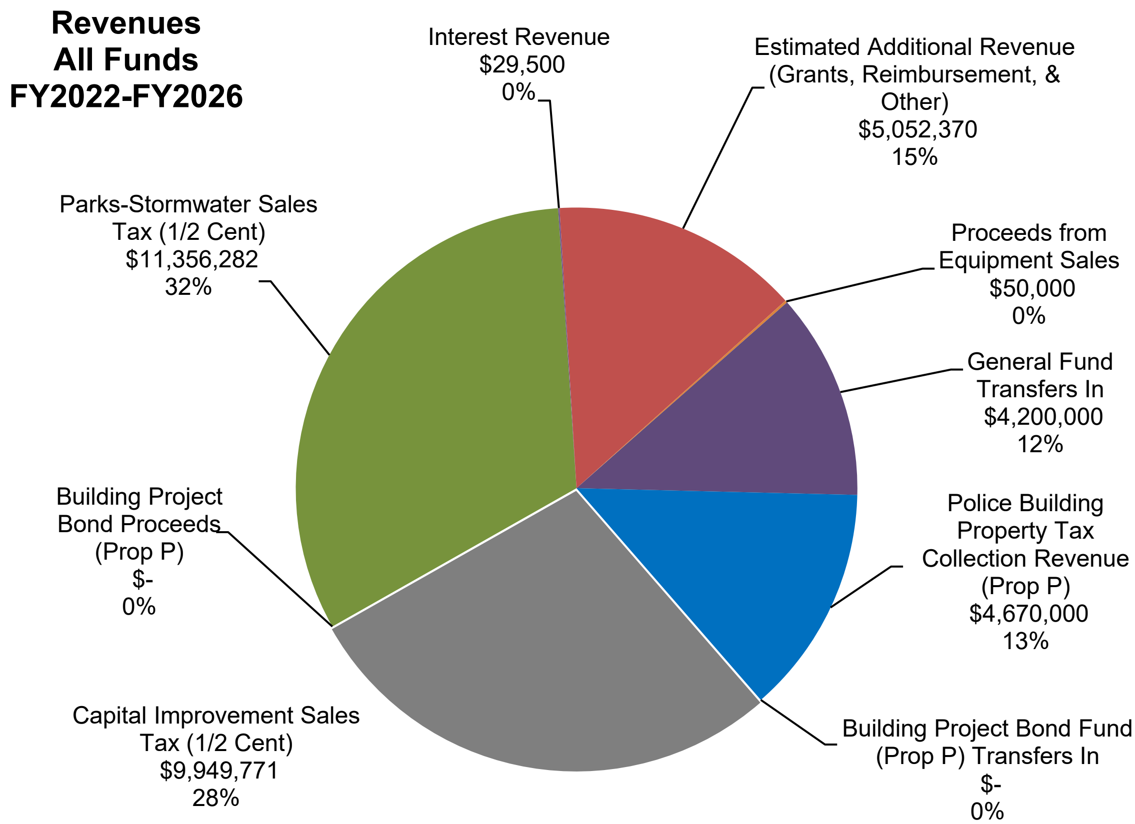
The CIP includes a description of each proposed project and equipment with details regarding justification, cost estimate, operating and maintenance budget impact, and funding sources.

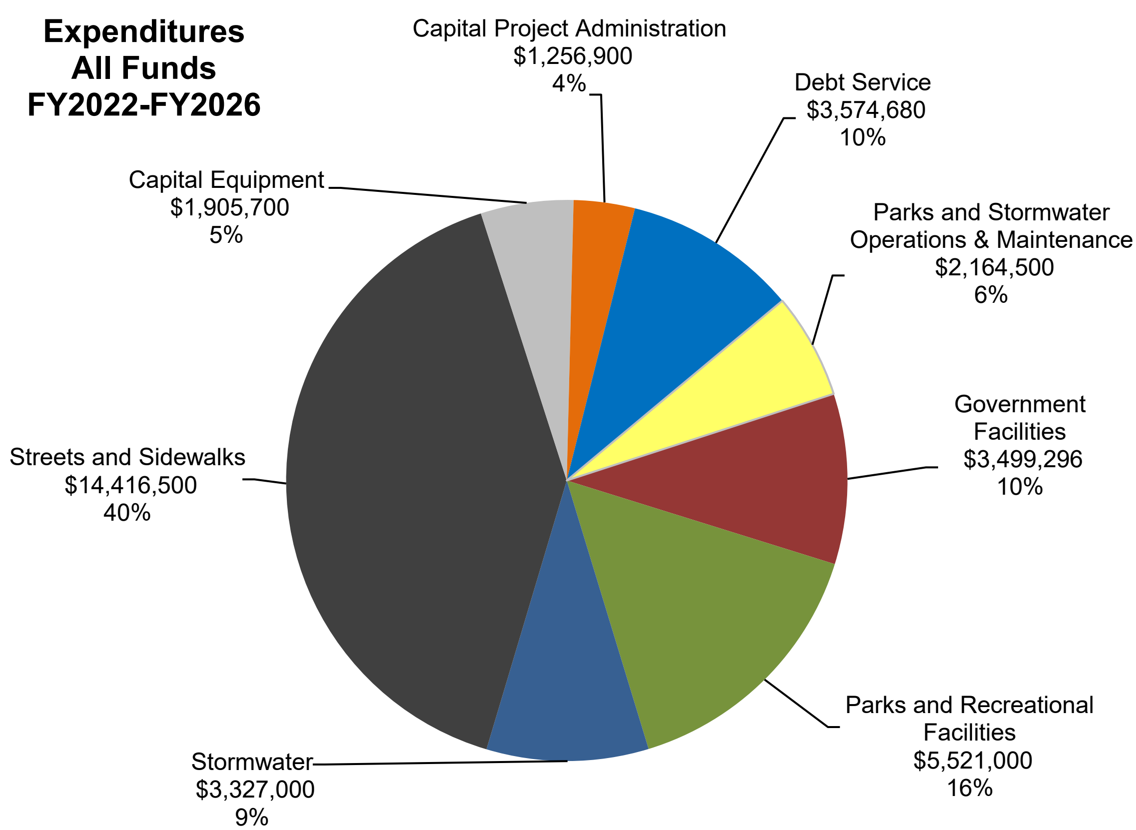
Funds in the CIP

There will be three funds that contribute to the FY2022-FY2026 CIP. These funds are:

1. <u>Capital Fund</u>. This fund is financed by a half-cent capital improvement sales tax, which is supplemented by annual transfers from the General Fund and project-specific grants.
    - Total Capital Fund revenues: $18.2 million
    - Total Capital Fund expenses: $19.6 million
2. <u>Parks-Stormwater Tax Fund</u>. In November 2020, voters in Creve Coeur approved a half-cent sales tax that is dedicated to finance operations, maintenance, and capital improvements for the City's parks and stormwater infrastructure. This new revenue source necessitated the creation of the Parks-Stormwater Tax Fund, which will be supplemented by grants and other outside funding related to parks and stormwater.
    - Total Parks-Stormwater Tax Fund revenues: $12.4 million
    - Total Parks-Stormwater Tax Fund expenses: $11.4 million
3. <u>Building Project Bond Fund</u>. In November 2016, voters in Creve Coeur approved a bond measure to build a new police station and to make security and accessibility improvements to the Creve Coeur Government Center. The police station was completed in 2020, so the majority of this fund's project-related expenses are complete. However, investments into the Government Center and the fund's debt service will be active in the FY2022-FY2026 CIP.
    - Total Building Project Bond Fund revenues: $4.7 million
    - Total Building Project Bond Fund expenses: $4.7 million

Combined, these three funds have a projected revenue of $35.3 million and projected expenses of $35.6 million for the FY2022-FY2026 CIP. The charts below break down these revenues and expenses into the general categories that are found in the CIP.





Communication: Staff Report: Stormwater Projects in Proposed Capital Improvement Program (Recommendation for FY2022-FY2026 CIP)

More detail is provided for each of the three funds in the sections that follow. Each fund is briefly described, and the revenues and expenses for each fund are summarized for the duration of the FY2022-FY2026 CIP. Project-specific summaries and financial projections are included for each line item that appears in the five-year CIP. Projects that are expected to be completed in FY2021 are not included in this report.

Appendix

This report is one of several documents that forms the CIP. Appendices to this report include:

- Appendix A: FY2022-FY2026 CIP Spreadsheets
- Appendix B: FY2017-FY2026 CIP 10-Year Summary
- Appendix C: Community Comments and Requests
- Appendix D: Future Project List

The latest version of these documents can be found on the City's website at:

http://www.creve-coeur.org/95/Capital-Improvement-Program

Questions and Comments

If you have any questions or comments about the CIP, please contact Matt Wohlberg, City Engineer, at mwohlberg@crevecoeurmo.gov or (314) 442-2084.

PARKS- STORMWATER TAX FUND

In November 20202, Creve Coeur voters approved a new half-cent sales tax, the revenue from which will be dedicated to operations, maintenance, and improvements to the City's parks, recreation, and stormwater infrastructure. Most of the City's projected investments into parks and stormwater are proposed to be financed through this fund.

Parks-Stormwater Tax Fund Revenues

The City's Parks-Stormwater Tax Fund has two main funding sources: a half-cent parks and stormwater sales tax and reimbursement from grants and other outside funding. Together, these funding sources are projected to generate approximately $12.43 million over the FY2022-FY2026 CIP.

<u>Half-Cent Parks and Stormwater Sales Tax</u>. The projected sales tax revenues are approximately $11.36 million for the FY2022-FY2026 CIP, which averages out to approximately $2.27 million per year in the plan.

<u>Grants and Outside Funding</u>. There are two primary outside funding sources for parks and stormwater improvements: the Municipal Park Grant and MSD OMCI reimbursement program.

- *Municipal Park Grant*. The City can seek Municipal Park Grant to supplement up to $475,000 for parks improvements about every other year. This funding source will be shared with the Capital Fund and will be identified in the proper fund as projects are identified.
- *MSD OMCI Reimbursement*. The Metropolitan St. Louis Sewer District (MSD) offers a reimbursement program for stormwater-related operations, maintenance, and construction improvements (OMCI) expenses in the Deer Creek watershed, which is generally the area in Creve Coeur east of Interstate 270 and south of Olive Boulevard. The City plans to seek approximately $1 million in reimbursement from this program over the five-year CIP.

Parks-Stormwater Tax Fund Expenses

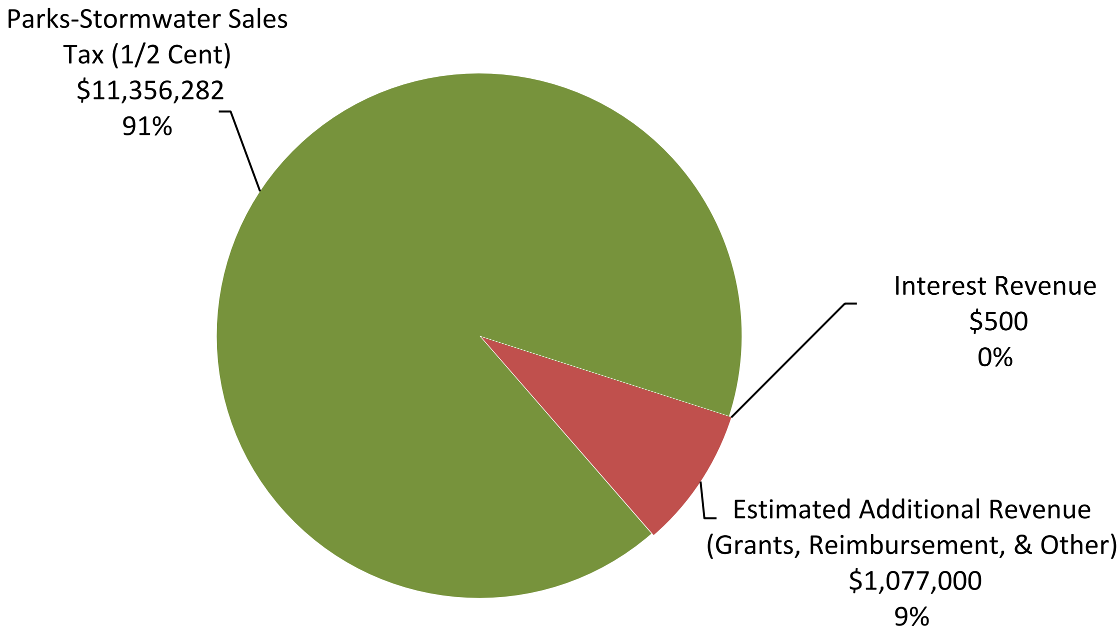
This sales tax revenue does not have a designated division of how it will be spent, but the City Council can decide to set the allocation amounts or to evaluate the division of funds through each CIP process. The proposed five-year CIP includes the following allocation of the sales tax revenue:

- Parks Projects.. 50%
- Stormwater Projects 22%
- Capital Project Administration.. 7%
- Parks and Stormwater Operations & Maintenance.................. 21%

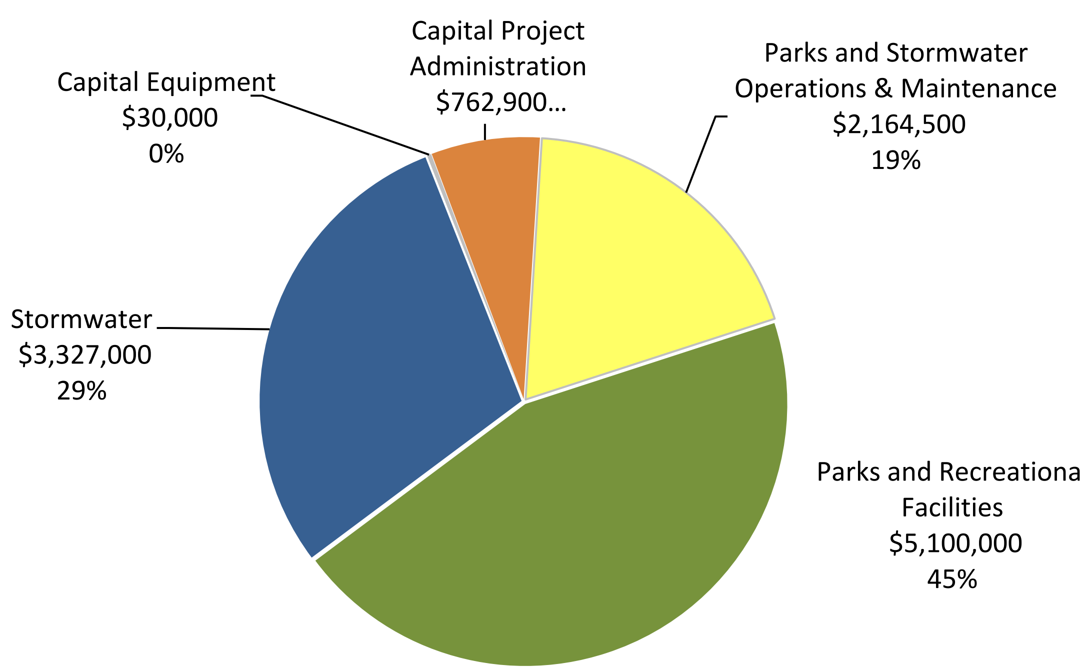
Funding for parks is proposed to be the greatest portion due a backlog of deferred parks maintenance, the improvements envisioned through the Parks and Recreation Master Plan, and the initial stormwater focus on developing a Stormwater Management Plan.

At this time, the proposed CIP does not include investment into the Dielmann Recreation Complex or the Creve Coeur Golf Course though the Parks-Stormwater Tax Fund. Projects involving this property are included in the Capital Fund.

Summaries of the projected revenues and expenses for the Parks-Stormwater Tax Fund are included below, and details about the projects and other expenses that are proposed to be financed through this fund can be found in the project summary sheets that follow.



FY2022-FY2026 PARKS-STORMWATER TAX FUND REVENUES



FY2022-FY2026 PARKS-STORMWATER TAX FUND EXPENSES

9509 STORMWATER - 01 | **PARKS-STORMWATER TAX FUND**

STORMWATER MANAGEMENT PLAN

Estimated Annual Costs						
Prior Years	**FY2022**	**FY2023**	**FY2024**	**FY2025**	**FY2026**	**Future**
$0	$350,000	$350,000	$0	$0	$0	$0

Project Description:
This project involves an in-depth study of stormwater behavior and needs throughout Creve Coeur in order to provide a sound, clear, and prioritized basis for the City's stormwater management program. This process will include the review of existing studies and citizen complaints and an investigation of the creeks and infrastructure in Creve Coeur in order to create a prioritized and coordinated list of improvements.

Existing Conditions:
The last City-wide study was completed in the 1990's and was updated with additional project reviews in 2012. The plan is outdated and does not provide a comprehensive list of issues and improvements to guide a stormwater program.

Justification: *Citizen Demand; Condition of Existing Facility; Coordination; Operating Efficiency*
In previous years, the City's capital improvement budget allowed for a small stormwater program that could respond to emergencies. With the residents' approval of the parks and stormwater sales tax, the City is now poised to have a planned and proactive stormwater program. Creating a comprehensive stormwater management plan will help guide the stormwater program to operate in a logical and efficient manner.

Operating Budget Impact:
Development of the stormwater management plan will not impact the operations and maintenance budget.

Comments:
None.

Expenditure Type	**Amount**	
Planning, Design, and Engineering	$	700,000
Land Acquisition	$	0
Construction	$	0
Equipment	$	0
Other	$	0
Total	**$**	**700,000**

Total Cost	$	700,000
Outside Funding Source: N/A	$	0
City Share	$	700,000

9509 STORMWATER - 02 **PARKS-STORMWATER TAX FUND**

STORMWATER IMPROVEMENTS PER MASTER PLAN

Estimated Annual Costs						
Prior Years	**FY2022**	**FY2023**	**FY2024**	**FY2025**	**FY2026**	**Future**
$0	$0	$0	$400,000	$400,000	$600,000	TBD

Project Description:
This line item represents stormwater projects that will begin to be designed and constructed following the completion of the Stormwater Management Plan. The locations and types of the projects are not yet known, but it is expected that FY2024 and FY2025 will concentrate on design, and that construction of projects will begin as early as FY2026. The actual schedule will depend on the complexity of the highest-priority projects. The projects and their associated costs will become specific line items in the CIP as they are defined, and this line item may not be necessary in future versions of the CIP.

Existing Conditions:
The creeks that run through Creve Coeur have locations where erosion exists along their banks, and some streets are served by outdated or deteriorating stormwater infrastructure.

Justification: *Citizen Demand; Condition of Existing Facility; Coordination; Operating Efficiency*
The residents of Creve Coeur approved the parks and stormwater sales tax in late 2020, which gives the City the ability to create a planned and proactive stormwater program.

Operating Budget Impact:
Calls for staff to investigate stormwater concerns are expected to decrease as capital projects address stormwater issues.

Comments:
None.

Expenditure Type	**Amount**	
Planning, Design, and Engineering	$	TBD
Land Acquisition	$	TBD
Construction	$	TBD
Equipment	$	0
Other	$	0
Total (FY2022-FY2026)	**$**	**1,400,000**

Total Cost (FY2022-FY2026)	$	1,400,000
Outside Funding Source: N/A	$	0
City Share	$	1,400,000

9509 STORMWATER - 03 PARKS-STORMWATER TAX FUND

STORMWATER IMPROVEMENTS (DEER CREEK – DEER CREEK OMCI)

Estimated Annual Costs						
Prior Years	**FY2022**	**FY2023**	**FY2024**	**FY2025**	**FY2026**	**Future**
$0	$0	$0	$224,000	$224,000	$224,000	TBD

Project Description:
This line item is similar to the Stormwater Improvements per Master Plan line item, in that it represents planned investment into the City's public stormwater infrastructure following the anticipated completion of the Stormwater Management Plan. The distinction of this line item is that it involves investments into the Deer Creek watershed that will be at least partially funded through MSD's Operations, Maintenance, and Construction Improvement (OMCI) reimbursement program that applies only to the Deer Creek watershed. The actual type and schedule of projects in FY2024 and beyond will depend on the findings of the Stormwater Management Plan and the scale and complexity of the highest-priority projects. The projects and their associated costs will become specific line items in the CIP as they are defined, and this line item may not be necessary in future versions of the CIP.

Existing Conditions:
The Deer Creek watershed generally includes the portion of Creve Coeur that is east of Interstate 270 and south of Olive Boulevard. Stormwater-related improvements within this area are eligible for reimbursement through MSD's OMCI program, which is funded through property taxes in the Deer Creek watershed.

Justification: *Condition of Existing Facility; Coordination; Availability of Outside Funding*
MSD offered to allow the City to seek reimbursement for the City's stormwater priorities within the Deer Creek watershed so that taxes paid in Creve Coeur will help make improvements in Creve Coeur. Improvements will follow the priorities set by the Stormwater Management Plan.

Operating Budget Impact:
Capital improvements to the City's stormwater infrastructure are expected to reduce operating expenses for site reviews, maintenance, construction of repairs, and stabilization efforts.

Comments:
None.

Expenditure Type	**Amount**	
Planning, Design, and Engineering	$	TBD
Land Acquisition	$	TBD
Construction	$	TBD
Equipment	$	0
Other	$	0
Total (FY2022-FY2026)	**$**	**672,000**

Total Cost (FY2022-FY2026)	$	672,000
Deer Creek Operations Maintenance and Construction Improvement (OMCI) Reimbursement	$	672,000
City Share	$	0

9509 STORMWATER - 04

PARKS-STORMWATER TAX FUND

HIBLER ROADSIDE DRAINAGE

Estimated Annual Costs						
Prior Years	**FY2022**	**FY2023**	**FY2024**	**FY2025**	**FY2026**	**Future**
$0	$50,000	$100,000	$0	$0	$0	$0

Project Description:
This project will involve the re-establishment and improvement of roadside drainage along Hibler Road at several locations between Mason Road and Hibler Oaks Drive. Improvements will include new and improved roadside drainage swales and may incorporate some new curbing. Design is planned for FY2022, and construction is planned for FY2023.

Existing Conditions:
Portions of Hibler Road do not have curbing and use roadside swales and the adjacent grades to carry stormwater runoff. City staff have received complaints that this approach does not always work, and investigation into the complaints has found that improvements are recommended.

Justification: *Citizen Demand; Condition of Existing Facility; Operating Efficiency*
This project aims to address the concerns raised by several area residents and to improve the stormwater performance along Hibler Road.

Operating Budget Impact:
Addressing this concern through capital improvements will eliminate the need for City staff to attempt to address the situation through maintenance operations.

Comments:
None.

Expenditure Type		**Amount**
Planning, Design, and Engineering	$	50,000
Land Acquisition	$	0
Construction	$	100,000
Equipment	$	0
Other	$	0
Total	**$**	**150,000**

Total Cost	$	150,000
Outside Funding Source (N/A)	$	0
City Share	$	150,000

9509 STORMWATER - 05 PARKS-STORMWATER TAX FUND

ALDEN LANE DRAIN REPLACEMENT (DEER CREEK OMCI)

Estimated Annual Costs						
Prior Years	**FY2022**	**FY2023**	**FY2024**	**FY2025**	**FY2026**	**Future**
$0	$35,000	$0	$0	$0	$0	$0

Project Description:
This project involves the design and construction needed to replace a small storm drain system that serves a section of Alden Lane. Design and construction are anticipated in FY2022.

Existing Conditions:
The drain system includes two small inlets – one on each side of Alden Lane – that carry stormwater from the street and the north side of Alden Lane to a small creek on the south side of the street. The drains are not standard drains and clog easily with mulch or leaf debris, and the clogged drains cause roadway flooding. In addition, an apparent failure of the drainage pipe has caused a large hole to form near the side of Alden Lane. This hole was found to be a potential hazard and has been filled with rock as a temporary measure.

Justification: *Citizen Demand; Condition of Existing Facility; Operating Efficiency*
Replacement of the existing inlets and pipes will improve the capacity and performance of this small stormwater system and will eliminate the hole that has formed. The new drains will have larger openings that will make them much less likely to clog.

Operating Budget Impact:
Replacement of the non-standard drains will eliminate the need for staff to monitor the inlets for clogs during typical rain storms, and replacing the pipes will eliminate the need for staff to monitor the area to see if the hole has formed again.

Comments:
This project is located within the Deer Creek watershed, meaning that the City will be eligible for reimbursement of design and construction costs through MSD's Operations, Maintenance, and Construction Improvements (OMCI) reimbursement program.

Expenditure Type		**Amount**
Planning, Design, and Engineering	$	20,000
Land Acquisition	$	0
Construction	$	15,000
Equipment	$	0
Other	$	0
Total	**$**	**35,000**

Total Cost	$	35,000
Deer Creek Operations Maintenance and Construction Improvement (OMCI) Reimbursement	$	35,000
City Share	$	0

9509 STORMWATER - 06 PARKS-STORMWATER TAX FUND

BALLAS CULVERT EROSION REHABILITATION (DEER CREEK OMCI)

Estimated Annual Costs						
Prior Years	**FY2022**	**FY2023**	**FY2024**	**FY2025**	**FY2026**	**Future**
$0	$75,000	$250,000	$0	$0	$0	$0

Project Description:
This project involves the design and construction needed to address creek erosion for a short section of creek starting at the east side of South New Ballas Road and extending east behind the homes on Tarrytown Drive to the City line. Design is planned for FY2022, and construction is planned for FY2023. Easements may be necessary. If so, the type and size of these easements will be determined early in the design process, and these could impact the extent and schedule of this project.

Existing Conditions:
A stormwater culvert runs beneath South New Ballas Road just south of Tarrytown Drive, and water flows from west to east through this culvert. Significant erosion has been observed at the downstream (east) end of the culvert. City staff have also received complaints regarding erosion, poor drainage, and flooding along this creek downstream of New Ballas Road.

Justification: *Citizen Demand; Condition of Existing Facility; Operating Efficiency*
Improvements to address the erosion at the downstream end of the culvert will help prevent the situation from deteriorating to the point that it will impact South New Ballas Road, the most heavily traveled section of road that the City maintains. Addressing the creek downstream as part of this project should be less expensive and less intrusive to the neighboring properties than if the two projects were completed independently.

Operating Budget Impact:
None.

Comments:
This project is located within the Deer Creek watershed, meaning that the City will be eligible for reimbursement of design and construction costs through MSD's Operations, Maintenance, and Construction Improvements (OMCI) reimbursement program.

Expenditure Type	**Amount**	
Planning, Design, and Engineering	$	75,000
Land Acquisition	$	0
Construction	$	250,000
Equipment	$	0
Other	$	0
Total	**$**	**325,000**

Total Cost	$	325,000
Deer Creek Operations Maintenance and Construction Improvement (OMCI) Reimbursement	$	325,000
City Share	$	0

Communication: Staff Report: Stormwater Projects in Proposed Capital Improvement Program (Recommendation for FY2022-FY2026 CIP)

9509 STORMWATER - 07 PARKS-STORMWATER TAX FUND

GOLF COURSE POND AERATION (DEER CREEK OMCI)

Estimated Annual Costs						
Prior Years	**FY2022**	**FY2023**	**FY2024**	**FY2025**	**FY2026**	**Future**
$0	$25,000	$0	$0	$0	$0	$0

Project Description:
This project involves the addition of an aeration system for the south pond at the Creve Coeur Golf Course. The aerator was originally intended to be part of the dam stabilization project in 2017, but the need to upgrade the electrical power feed for the aerator forced the aerator to be eliminated from the dam project.

Existing Conditions:
A small electrical supply is located on the west side of the pond, slightly north of the #5 green. This electric supply currently powers the fountain in the pond, but it will need to be upgraded to be able to handle an aerator as well. The 2017 dam project removed the built-up silt from the pond, which made the pond deeper. An aerator will help circulate the water and promote a clear and algae-free pond.

Justification: *Condition of Existing Facility; Beautification; Availability of Outside Funding*
From a practical point of view, the aerator will help the City extend its investment into the pond. From an aesthetic point of view, the clarity of the pond that the aerator will promote will look better to golfers than an algae-covered pond would.

Operating Budget Impact:
The cost for the electricity for the aerator is expected to be negligible compared to the overall electricity needs of the Golf Course.

Comments:
This project is located within the Deer Creek watershed, meaning that the City will be eligible for reimbursement of design and construction costs through MSD's Operations, Maintenance, and Construction Improvements (OMCI) reimbursement program.

Expenditure Type	**Amount**	
Planning, Design, and Engineering	$	5,000
Land Acquisition	$	0
Construction	$	20,000
Equipment	$	0
Other	$	0
Total	**$**	**25,000**

Total Cost	$	25,000
Deer Creek Operations Maintenance and Construction Improvement (OMCI) Reimbursement	$	25,000
City Share	$	0

9509 STORMWATER - 08 **PARKS-STORMWATER TAX FUND**

HIBLER WOODS DRAIN REPLACEMENT

Estimated Annual Costs						
Prior Years	**FY2022**	**FY2023**	**FY2024**	**FY2025**	**FY2026**	**Future**
$0	$0	$20,000	$0	$0	$0	$0

Project Description:
This project involves the replacement of a broken trench drain that extends across Hibler Woods Drive.

Existing Conditions:
A resident in the Mason Forest Subdivision reported that one of the grates of this trench drain was broken in 2020, and City staff welded a repair for this grate as a temporary measure. As has been the case with several other trench drains in Creve Coeur, these drains are considered part of the street and are not maintained by MSD.

Justification: *Condition of Existing Facility*
The trench drain will need to be replaced in order to provide a sound structure for vehicle and pedestrian traffic.

Operating Budget Impact:
Replacement of the drain should eliminate the need for additional repairs to the drain for at least the next ten years.

Comments:
None.

Expenditure Type	**Amount**
Planning, Design, and Engineering	$ 0
Land Acquisition	$ 0
Construction	$ 20,000
Equipment	$ 0
Other	$ 0
Total	**$ 20,000**

Total Cost	$ 20,000
Outside Funding Source (N/A)	$ 0
City Share	$ 20,000

APPENDIX A
FY2022-FY2026 CAPITAL IMPROVEMENT PROGRAM

9509 STORMWATER ACCOUNT SUMMARY

CAPITAL FUND	FY2020 BUDGETED	FY2020 ACTUAL	FY2021 BUDGETED	FY2021 PROJECTED	FY2022 PROJECTED	FY2023 PROJECTED	FY2024 PROJECTED	FY2025 PROJECTED	FY2026 PROJECTED
01 Stormwater Improvements Per Master Plan	-	-	-	-	-	-	-	-	-
02 Middlebrook Drive Culvert Rehabilitation	250,000	3,610	-	285,658	-	-	-	-	-
03 Balcon Estates Culvert Improvements	18,250	7,977	-	-	-	-	-	-	-
	-	-	-	-	-	-	-	-	-
Subtotal - Stormwater Expenses - Capital Fund	**268,250**	**11,587**	**-**	**285,658**	**-**	**-**	**-**	**-**	**-**

PARKS-STORMWATER TAX FUND	FY2020 BUDGETED	FY2020 ACTUAL	FY2021 BUDGETED	FY2021 PROJECTED	FY2022 PROJECTED	FY2023 PROJECTED	FY2024 PROJECTED	FY2025 PROJECTED	FY2026 PROJECTED
01 Stormwater Management Plan		**-**	**-**	**-**	**350,000**	**350,000**	**-**	**-**	**-**
02 Stormwater Improvements per Master Plan	**-**	**-**	**-**	**-**	**-**	**-**	**400,000**	**400,000**	**600,000**
03 Stormwater Improvements (Deer Creek - Deer Creek OMCI)	**-**	**-**	**-**	**-**	**-**	**-**	**224,000**	**224,000**	**224,000**
04 Hibler Roadside Drainage	**-**	**-**	**-**	**-**	**50,000**	**100,000**	**-**	**-**	**-**
05 Alden Lane Drain Replacement (Deer Creek OMCI)	**-**	**-**	**-**	**-**	**35,000**	**-**	**-**	**-**	**-**
06 Ballas Culvert Erosion Rehabilitation (Deer Creek OMCI)	**-**	**-**	**-**	**-**	**75,000**	**250,000**	**-**	**-**	**-**
07 Golf Course Pond Aeration (Deer Creek OMCI)	**-**	**-**	**-**	**-**	**25,000**	**-**	**-**	**-**	**-**
08 Hibler Woods Drain Replacement	**-**	**-**	**-**	**-**	**-**	**20,000**	**-**	**-**	**-**
Subtotal - Stormwater Expenses - Parks-Stormwater Tax Fund	**-**	**-**	**-**	**-**	**535,000**	**700,000**	**624,000**	**624,000**	**824,000**

BUILDING PROJECT BOND FUND	FY2020 BUDGETED	FY2020 ACTUAL	FY2021 BUDGETED	FY2021 PROJECTED	FY2022 PROJECTED	FY2023 PROJECTED	FY2024 PROJECTED	FY2025 PROJECTED	FY2026 PROJECTED
	-	-	-	-	-	-	-	-	-
	-	-	-	-	-	-	-	-	-
	-	-	-	-	-	-	-	-	-
Subtotal - Stormwater Expenses - Building Project Bond Fund	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**

TOTAL CAPITAL EXPENSES (ALL FUNDS) STORMWATER	FY2020 BUDGETED	FY2020 ACTUAL	FY2021 BUDGETED	FY2021 PROJECTED	FY2022 PROJECTED	FY2023 PROJECTED	FY2024 PROJECTED	FY2025 PROJECTED	FY2026 PROJECTED
Total Capital Expenses - Stormwater	**$ 268,250**	**$ 11,587**	**$ -**	**$ 285,658**	**$ 535,000**	**$ 700,000**	**$ 624,000**	**$ 624,000**	**$ 824,000**

New or Substantially Modified Projects are in Bold

Chapter 140. Finances

Charter References — Financial procedure, §§9.1 et seq.

Section 140.010. Purchasing and Sales Policy.

[R.O. 2008 §2-216; Ord. No. 829 §1, 12-12-1977; Ord. No. 4000 §1, 1-9-2006; Ord. No. 5089 §1, 6-22-2009]

A. *Purchasing And Sales Policy.*

1. *Purpose.* The purpose of this Chapter is to establish guidelines regarding purchases made by the City and the sale of City property in order to maximize the value realized for each public dollar spent and for public property.

2. *Scope.* This Chapter is applicable to all purchasing for the City and the sale of any City property outside the scope of ordinary services.

3. *Basic goals.* The basic goals of the City are:

a. To comply with all applicable legal requirements.

b. To assure vendors and buyers that impartial and equal treatment will be afforded to all who wish to do business with the City.

c. To maximize the value realized for each public dollar spent and for public property.

d. To obtain goods and services at the time and place needed in the proper quantity and quality.

e. To purchase only goods and services for which funds have been approved and not previously encumbered.

f. To sell or lease property that is no longer necessary or useful to the City and that can be better used by the private sector.

g. To promote environmentally sustainable practices by including environmental considerations in purchasing decisions.

If the procedures and guidelines established in this Chapter are followed, each department should efficiently manage, control and plan its available resources to meet present and future departmental needs and help the City meet its goals.

B. *Definitions.* The following terms shall be defined as stated for purposes of this Chapter:

APPROPRIATION
The legal authorization of monies for anticipated or incurred expense.

BUDGET

A document which sets forth proposed revenues and expenses to be incurred during a fiscal year for the various City operations.

CAPITAL EXPENDITURE

Any project included in the capital improvements account within the annual budget, but shall not include items within the capital outlay for any department, division or agency budget.

CONSTRUCTION

The process of building, altering, repairing, improving or demolishing any public structure or facility or other public improvement of any kind.

CONTRACT

A legally binding promise enforceable by law and, generally, in writing.

DEPARTMENTS

Includes law, finance, police, parks and recreation, community development and public works, purchasing and personnel.[2]

ENCUMBRANCE

The reservation of monies to meet a prior financial commitment.

ENVIRONMENTALLY PREFERABLE PRODUCTS

Commodities and services that carry the certification or label of one (1) of the following national independent environmental certifying programs:

EPEAT (Electronic Product Environmental Assessment)
Energy Star
Environmental Choice (Canada EcoLogo)
Forest Stewardship Council
Green Guard for Children and Schools
Green Seal
Green-e
USDA Organic

or that assume one (1) or more of the following qualities to a greater degree than comparable commodities and services:

Biobased
Biodegradable
Carcinogen-free
Chlorofluorocarbon (CFC-free)
Compostable
Durable or reusable, as opposed to single-use or disposable
Energy efficient
Heavy metal free (e.g., no lead, mercury, cadmium)
Less hazardous
Low volatile organic compound (VOC) content
Low-toxicity
Made from rapidly renewable materials
Persistent, bioaccumulative toxic (PBT)-free

Procured from vendors and contractors that follow green policies in their own operations

Produced locally or regionally (to minimize environmental costs associated with shipping)

Recyclable

Recycled content

Reduced greenhouse gas emissions

Reduced packaging, especially polystyrene

Refurbished

Resource efficiency

Upgradeable

Water efficient

EXISTING PURCHASING CONTRACT

A contract previously entered into by the City and currently existing including, but not limited to, a term-and-supply contract, an annual contract, a maintenance contract and a warranty contract.

FORMAL WRITTEN BID

A competitive bid for supplies and services must be submitted in response to an advertised request in a prescribed format pursuant to applicable instructions, including typically that the bid be submitted in a sealed format to be opened in public at a specified time.
[Ord. No. 5609, 10-10-2018]

INFORMAL WRITTEN BID

A competitive bid for supplies or services conveyed to the City in writing, generally without prior advertising, pursuant to applicable instructions.
[Ord. No. 5609, 10-10-2018]

ITEM

A product, material or service.

MATERIAL VALUE

The value of an item to be purchased or sold, to be determined in the first (1st) instance by the department director.

PROCUREMENT

Purchasing, renting, leasing or otherwise acquiring any supplies, services, property or construction, including performance of any necessary functions such as writing specifications, selection and solicitation of sources, preparation and award of contract and contract administration.

QUOTATION

A statement of price, terms of sale and description of property, goods or services offered by a vendor to a prospective purchaser by letter, fax, telephone or other means of communication.

REQUISITION

An internal document by which a department sends details of supplies, services or material required to the Finance Department, including documentation of authority to commit funds for the purchase.

SCOPE OF SERVICES

A detailed description of the tasks to be performed.

SPECIFICATIONS

A description of the environmental, physical or functional characteristics or of the nature of a supply, service, property or construction item; the requirements to be satisfied by a product or process; indicating, if appropriate, the procedures to determine whether the requirements are satisfied and/or the capabilities and performance characteristics that the item must satisfy.

[2] *Editor's Note — Ord. no. 5123 Exh. A, adopted February 22, 2010, made changes to the titles of some departments and these new titles are reflected herein.*

[1] *Cross Reference — Rules of construction and definitions generally, §**100.020**.*

Section 140.020. Payments.

[R.O. 2008 §2-217; Ord. No. 829 §4(B)(3), 12-12-1977; Ord. No. 4000 §2, 1-9-2006; Ord. No. 5089 §2, 6-22-2009]

A. The City Administrator shall have the discretion to direct payment of an invoice so long as the funds have been appropriated and the transaction was approved in compliance with Section **140.030**. Any other invoice shall require review and approval by the City Council prior to payment.

B. At each regularly scheduled City Council meeting, the City Administrator shall present a listing of all invoices which have been received since the previous regular City Council meeting.

Section 140.030. General Guidelines.

[R.O. 2008 §2-218; Ord. No. 829 §5, 12-12-1977; Ord. No. 2130 §1, 6-11-2001; Ord. No. 4000 §3, 1-9-2006; Ord. No. 5089 §§3 — 4, 6-22-2009]

A. *General Guidelines.*

1. *Local and regional buying preferences.* It is the desire of the City to purchase from Creve Coeur, Missouri, and/or American vendors whenever possible. When all other factors are equal, preference shall be provided to Creve Coeur vendors first (1st), Missouri vendors second (2nd) and American vendors third (3rd). To be considered a Creve Coeur vendor, the person or entity must have a physical place of business located in the City and a City business license. To be considered a Missouri vendor, the person or entity must have a physical place of business in the State and authority to conduct business in the State. To be considered an American vendor, the person or entity must have a physical place of business in the country and authority to conduct business in the country. Every contract for public works construction or maintenance in excess of one thousand dollars ($1,000.00) shall contain the following provision: "The contractor is requested to use American products in the performance of this contract whenever the quality and price are comparable with other goods."

2. *Environmental preference.* The City shall prefer environmentally preferable products in all purchasing decisions; however, nothing in this Section shall be construed as requiring the City to procure products or services that are inferior in quality, do not perform adequately for their intended use, exclude adequate competition, are not available at a reasonable price in a reasonable period of time, or exclude the consideration described under Subsection **(9)** below.

   All requests for proposals and bids shall contain the following provision: "Environmentally-friendly buying preferences: The City of Creve Coeur promotes environmentally sustainable practices by purchasing environmentally preferable products when cost, quality, variety, quantity, delivery time and any other defined specifications are not significantly inferior to competing commodities and services. Whenever possible, proposals shall provide applicable information relating to how the vendor's product is environmentally preferable. Environmentally preferable products are commodities or services that carry the certification of one (1) of the following national independent environmental certifying programs:

   EPEAT (Electronic Product Environmental Assessment)

Energy Star

Environmental Choice (Canada EcoLogo)

Forest Stewardship Council

Green Guard for Children and Schools

Green Seal

Green-e

USDA Organic

or that assume one (1) or more of the following qualities to a greater degree than comparable commodities and services:

Biobased

Biodegradable

Carcinogen-free

Chlorofluorocarbon (CFC-free)

Compostable

Durable or reusable, as opposed to single-use or disposable

Energy efficient

Heavy metal free (e.g., no lead, mercury, cadmium)

Less hazardous

Low volatile organic compound (VOC) content

Low-toxicity

Made from rapidly renewable materials

Persistent, bioaccumulative toxic (PBT)-free

Procured from vendors and contractors that follow green policies in their own operations

Produced locally or regionally (to minimize environmental costs associated with shipping)

Recyclable

Recycled content

Reduced greenhouse gas emissions

Reduced packaging, especially polystyrene

Refurbished

Resource efficiency

Upgradeable

Water efficient"

3. *Planning.* Small orders and last-minute purchases should be minimized, thereby increasing the capability of each department to purchase its goods and services in larger quantities in order to obtain the maximum discounts possible.

4. *Overdrafts prohibited.* No purchase will be authorized which would overdraft a budgetary line item account in the absence of approval from the City Administrator or City Council as provided in Sections 9.8 and 9.9 of the City Charter.

5. *Buying proper quality.* It is the duty of the requisitioning department to secure the best quality for the purpose intended. *"Quality buying"* is the buying of goods or services that will meet or exceed the requirements for which they are intended. The environmental characteristics of a service or product shall not be excluded from determination of proper quality.

6. *Sales tax.* The City is generally exempt from paying local and State sales taxes and Federal excise taxes (except for motor fuels). The Finance Department can provide the necessary

exemption documents to any vendor upon request.

7. *Endorsements.* It is the policy of the City not to endorse or in any way permit an employee's name, position or the City's name to be used and advertised as supporting a product or vendor.

8. *Personal purchases.* Purchases for personal use by employees by the City are prohibited. City employees are also prohibited from using the City's name or the employee's position to obtain special consideration in personal purchases.

9. *Lowest and best bidder.* Contracts for purchases shall be awarded to the lowest and best bidder. In determining the "lowest and best bidder", in addition to price, the City will consider, when applicable, these considerations:

   a. Whether or not the commodity or service is "environmentally preferable" as defined in Subsection **140.010(B)**.

   b. The life-cycle cost and return on investment of a commodity or service, in addition to the initial cost.

   c. The ability, capacity and skill of the bidder to perform the contract or provide the service required.

   d. Whether the bidder can perform the contract or provide the service promptly or within the time specified without delay or interference.

   e. The character, integrity, reputation, judgment, experience and efficiency of the bidder.

   f. The quality of performance of previous contracts or services.

   g. The previous and existing compliance by the bidder with applicable laws.

   h. The sufficiency of the financial resources and ability of the bidder to perform the contract or provide the service.

   i. The quality, availability and adaptability of the supplies or contractual services to the particular use required.

   j. The ability of the bidder to provide future maintenance and service for the use of the subject of the contract.

   k. The number and scope of conditions attached to the bid.

   l. Any other pertinent factor.

B. Purchasing Procedures. No purchase or contracts for services or supplies paid from funds of the City, shall be made by any officer, employee or agent of the City, or City Administrator, except in the manner hereinafter set forth.
[Ord. No. 5609, 10-10-2018]

   1. Purchases with material value from zero dollars ($0.00) to one thousand four hundred ninety-nine dollars ($1,499.00). Whenever any contemplated purchase or contract for services is under one thousand five hundred dollars ($1,500.00) and within budget, the City may order the item or items as needed without any further formality. It is the responsibility of each department director to ensure control over this process. Final approval of the purchase or contract shall be by the department director. No quotes are necessary and no purchase order is required.

2. Purchases with material value from one thousand five hundred dollars ($1,500.00) to seven thousand four hundred ninety-nine dollars ($7,499.00). Whenever any contemplated purchase or contract for services are within this range and budget, at least three (3) informal written bids for the items or services shall be submitted in bid form. The City may purchase items or contract for services from the lowest responsible bidder whenever reasonably possible. The requisition for purchase of the items or services must be approved by the department director and the Director of Finance for issuance of a purchase order. All received bid documentation will be attached to the requisition/purchase order.

3. Purchases with material value from seven thousand five hundred dollars ($7,500.00) to twenty-four thousand nine hundred ninety-nine dollars ($24,999.00). Whenever any contemplated purchase or contract for services are within this range and budget, at least three (3) written bids for the items or services shall be submitted in bid form. The City may purchase items or contract for services from the lowest responsible bidder whenever reasonably possible. The requisition for purchase of the items or services must be approved by the department director, the Director of Finance and the City Administrator for issuance of a purchase order. All received bid documentation will be attached to the requisition/purchase order.

4. Purchases with material value of twenty-five thousand dollars ($25,000.00) and above. Whenever any contemplated purchase or contract for services are within this range, at least three (3) written bids for the items or services shall be submitted in bid form. Items in this category may be ordered only after review by the City Attorney and official approval by the City Council. For purchases exceeding fifty thousand dollars ($50,000.00), a formal written request for bids including a general description of the articles to be purchased or services performed and the time and place for opening the bids, shall be posted on the City's website. In an effort to obtain the best bids possible, further notice shall be provided, as determined by the Finance Director, such as posting on pertinent online bidding sites, advertising in relevant trade publications, and mailing or emailing to responsible prospective suppliers of the items to be purchased or services performed. Newspaper advertisement shall be used when required by law or when otherwise deemed beneficial by the Finance Director. Final approval of the purchase or contract shall be by affirmative vote of a majority of the City Council. After approval by the City Council, the requisition for purchase of the items or services must be approved by the department director, the Director of Finance and the City Administrator for issuance of a purchase order. All received bid documentation will be attached to the requisition/purchase order.

5. Bidding. The City and all parties contracting with the City shall follow the procedure hereinafter set forth in relation to all purchases exceeding fifty thousand dollars ($50,000.00):

   a. All notices and solicitation of bids shall state the time and place for opening.

   b. All bids shall be submitted sealed, either electronically or in writing, and shall be identified as "sealed bids" on the envelope or electronic subject line.

   c. All bids shall be opened in public at the time and place stated in the public notice.

   d. A tabulation of all bids received shall be available for public inspection per request.

   e. The City shall have the authority to reject any and all bids and parts of all bids and re-advertise or re-solicit bids.

   f. Determining Lowest Responsible Bidder. Unless there is an exercise of the right of rejection, the purchase or contract shall be made from and with the lowest responsible bidder for any article or to the lowest responsible bidder for the entire purchase or contract for any part thereof. In determining the lowest responsible bidder the following shall be considered:

(1) The ability, capacity and skill of the bidder to perform the contract or provide service required.

(2) Whether the bidder can perform the contract or provide the services promptly or within specified time, without delay or interference.

(3) The quality of performance of previous contracts or services.

(4) The previous and existing compliance by the bidder with laws and ordinances of the City.

(5) The financial resources and ability of the bidder to perform the contract or provide the service.

(6) The quality, availability and adaptability of the supplies or service.

g. Performance Bond. In addition to bonds required by law, the City shall have the authority to require a performance bond, in cash or otherwise, for such amount as it may deem sufficient to secure the execution of the contract of furnishing supplies or services for the best interest of the City.

6. Multiple Or Repeat Orders. Multiple or repeat orders cannot be used to avoid the requisite approvals for the total purchase amount.

7. Special Circumstances. If less than three (3) quotes are received and the quotes all exceed the amount budgeted for the purchase, departments should either request new bids for the desired goods or services or obtain approval from the Director of Finance to proceed based on the initial quote(s) on the grounds that special circumstances exist such that requests for new bids would not generate different quotes. Such special circumstances should be explained in a memorandum accompanying the purchase order.

8. Exempt Purchases. The following purchases, by their very nature, are exempt from the normal purchasing guidelines and require the special procurement practices set forth in subsequent Sections of this Chapter:

a. Sole-source or monopoly purchases;

b. Cooperative purchase agreements;

c. Fuel purchases;

d. Professional services;

e. Term and supply and annual contracts;

f. Emergency purchases.

C. *Change Orders.*
[Ord. No. 5576, 3-26-2018; Ord. No. 5588, 5-29-2018; Ord. No. 5609, 10-10-2018]

1. Construction Change Orders Approved By City Administrator. The City Administrator is authorized to approve change orders not exceeding ten percent (10%) of the original contract or up to fifty thousand dollars ($50,000.00), whichever is less.

2. Construction Change Orders Approved By City Council. Construction change orders approved by City Council. In the event a construction change order contains costs in an amount that exceeds the authorization of the City Administrator, the change order must go to City Council for approval. In the event change orders on a single contract accumulate to an amount in excess of the City Administrator's authorization, all subsequent change orders,

regardless of amount, must go to City Council for approval. On a project-by-project basis, the City Council may authorize the City Administrator to approve up to twenty-five thousand dollars ($25,000.00) in additional change orders following City Council review of all previous change orders, but in no event shall such additional authorization exceed ten percent (10%) of the original contract.

3. Changes To Purchase Orders. The City Administrator is authorized to approve change orders for purchases not exceeding ten percent (10%) of the original contract or up to twenty-five thousand dollars ($25,000.00), whichever is less so long as the proposed changes are in response to conditions unforeseen at the time the purchase order was awarded. Change orders may not be used to overdraw a budgetary account, to avoid the City's competitive bidding process or to materially alter the purpose of the original bid or contract. Changes to purchase orders in excess of ten percent (10%) or twenty-five thousand dollars ($25,000.00) must be approved by City Council.

D. *Fuel Purchases.* Bulk fuel purchases for vehicles may be made without approval of a purchase order, provided that three (3) quotes are obtained and the lowest cost vendor is selected. A requisition shall still be submitted. To the extent vehicles cannot be fueled through the City's bulk-purchasing program, purchases may be made at any commercial service station, although price shopping is still encouraged. Documentation of the purchase shall be submitted.

E. *Cooperative Agreements.*
[Ord. No. 5638, 4-22-2019]

1. The City may contract directly with other governmental entities for the purchase of items. The City may also participate in, sponsor, conduct or administer a cooperative purchasing agreement whereby items are procured in accordance with a contract established by another governmental entity provided that such contract was established in accordance with the laws and regulations applicable to the establishing governmental entity.

2. From time to time, but not less than each July of each even-numbered year, the Finance Department shall provide a list of cooperative purchasing programs in which the City will participate. The Finance Department shall be responsible for notifying the departments of current approved cooperative purchasing agreements and any limitation or special requirements for their use.

3. The City Administrator will review and approve all cooperative purchasing agreements with other governmental agencies with material value under twenty-five thousand dollars ($25,000.00) prior to their use. The City Council shall review and approve cooperative purchasing agreements with material value of twenty-five thousand dollars ($25,000.00) or more. Competitive bidding procedures do not apply to such purchases made through approved cooperative purchasing agreements.

4. *"Acceptable cooperative purchasing agreements"* are agreements which contain the same terms, conditions, specifications and pricing for the respective item that the department would bid and purchase on their own.

5. Additional City Council approval shall not be required for the purchase of any budgeted items from approved cooperative purchasing agreements.

F. *Term And Supply And Annual Contracts — Open Purchase Orders.*
[Ord. No. 5638, 4-22-2019]

1. Term and supply contracts and annual contracts shall be bid through each department following the same procedures established by this policy for other purchases based upon estimated material value of contract. The department requesting the service shall prepare a recommendation of award for City Council approval for all term and supply and annual contracts with material value of twenty-five thousand dollars ($25,000.00) or more based

upon the annual value of the contract. All multiple year contracts should contain a clause explaining that the obligation of the City to pay for goods and/or services under the contract is limited to payment from available revenues and shall constitute a current expense of the City and shall not in any way be construed to be a debt of the City in contravention of any applicable constitutional or statutory limitations or requirements concerning the creation of indebtedness by the City nor shall anything contained in the contract constitute a pledge of the general tax revenues, funds or monies of the City and all provisions of the contract shall be construed so as to give effect to such intent.

2. Once such a contract is approved, specific purchases within budget should be made on an "as-needed" basis without further bidding while the contract remains open, unless and until the City terminates the contract. Any department that believes such a contract is no longer competitive should provide such information to the Finance Director.

G. Professional Services Contracts.
[Ord. No. 5609, 10-10-2018]

1. Contracts for professional services provided by financial advisors, physicians, certified public accountants, engineers, architects, land surveyors, brokers, consultants and other specialized or technical services shall be obtained through the special procurement procedures set forth in this Section.

2. Requests for qualifications or proposals, as applicable, for professional services shall be submitted to the City Administrator for review and approval prior to distribution. When an RFQ or RFP for professional services is approved, a limited number of qualified professionals known to the City will be invited to submit a response setting forth their interest, qualifications and description of proposed services. A contract will be negotiated with the professionals deemed to best meet the City's needs.

3. Upon approval of the Finance Director and City Administrator, professional services contracts under ten thousand dollars ($10,000.00) may be exempt from the request for proposal process.

4. Professional services contracts for twenty-five thousand dollars ($25,000.00) or more must be approved by the City Council.

5. The City Administrator is authorized to approve change orders for professional service contracts nor exceeding ten percent (10%) of the original contract or up to twenty-five thousand dollars ($25,000.00), whichever is less so long as the proposed changes are in response to conditions unforeseen at the time the purchase order was awarded. Change orders may not be used to overdraw a budgetary account, to avoid the City's competitive bidding process or to materially alter the purpose of the original bid or contract. Changes to purchase orders in excess of ten percent (10%) or twenty-five thousand dollars ($25,000.00), must be approved by City Council.

H. *Emergency Purchases.* In case of an emergency which requires immediate purchase of supplies or services, the City Administrator may authorize such purchase or secure such services needed without complying with the procedures as set out above. Department directors faced with an emergency purchase need shall notify the City Administrator as soon as possible. When possible (if purchase is greater than twenty-four thousand nine hundred ninety-nine dollars ($24,999.00) in such an emergency, the City Administrator shall seek approval from the City Council at a special or regular meeting prior to the purchase. If a timely special or regular meeting of the City Council is not possible, a full report of such an emergency purchase shall be made by the City Administrator to the City Council as soon as possible.
[Ord. No. 5638, 4-22-2019]

I. *Sole-Source And Monopoly Purchases.*
[Ord. No. 5638, 4-22-2019]

1. The Director of Finance or designated representative and department director or designated representative shall authorize a sole-source purchase and accordingly waive competitive purchasing procedures, when such a request is presented, in writing, by the requesting department with the requisition, documenting that only a single feasible procurement source exists. A single feasible sole source exists when:

   a. Supplies or services are proprietary and only available from a single manufacturer or a single distributor, or

   b. It is determined that only one (1) distributor services the region, or

   c. When supplies or services are available at a significant discount from a single distributor for a limited period of time, or

   d. When a project with specific circumstances requires specialized consultant or technical services with a unique combination of abilities or expertise.

2. In the event the amount of a sole-source purchase will exceed twenty-four thousand nine hundred ninety-nine dollars ($24,999.00), it must also be approved in advance by the Director of Finance and City Administrator or their designated representatives and must be approved by the City Council.

3. Purchases of services that are provided on a monopoly basis such as electrical, gas and water utility services do not require specific City Council approval unless budgeted amounts are exceeded.

J. *Lease Of Real Property.*

1. Upon action of the City Council, the City may lease real property that it owns for fair market value, when such property is currently underutilized, in order to maximize the return of the property to the City until such time as such property shall be required for public usage.

2. Nothing herein shall prevent the City Administrator or designated representative from negotiating a higher rent for a lessee of any real property that is shown to have a unique value to such lessee due to its configuration, accessibility or size, subject to approval from the City Council.

K. *Sale Of Real Property.*

1. Upon action of the City Council, the City may sell unneeded real property for fair market value.

2. Nothing herein shall prevent the City Administrator or designated representative from negotiating a higher price for sale or trade to a buyer for any real property that is shown to have a unique value to such buyer due to its configuration, accessibility or size, subject to approval from the City Council.

L. *Disposal Of Surplus Goods.* The City should promptly dispose of all surplus property to the economic advantage of the City. Competitive bidding on surplus, obsolete or unusable goods is required through sealed bids, auction, open market sales or other available means. The disposal of all such goods requires the approval of the City Administrator; additional approval by the City Council is required for goods in excess of nineteen thousand nine hundred ninety-nine dollars ($19,999.00) in total material value. Trade-in opportunities should be pursued when available to reduce the City's purchasing costs. Competitive bidding shall only apply to a trade-in to the extent it applies to the new purchase. Approvals of a trade-in shall be handled in conjunction with the approval of the new purchase as dictated by the purchase price.

M. *Designated Representatives.*

1. Throughout this policy several references have been made to "designated representatives"; in order to assure that proper authority has been given to an individual who represents themselves as a "designated representative", the departments are requested to make an effort to communicate said designated authority to the Finance Department when appropriate.

2. The Finance Department shall be provided evidence of an individual's "designation" immediately upon request.

N. *Purchasing Policy Supplements.* In the event a specific procurement procedure is required to be in writing when the City is purchasing an item which is funded in whole or in part by grant funds, i.e., CDBG, the City Administrator shall have the authority to supplement this Section to incorporate the special requirements of that procurement.

O. *Policy Clarification.* The City Administrator may clarify the provisions of this Chapter in furtherance of the stated goals of this Chapter by written statement, provided the City Administrator cannot alter in any way the extent to which City Council action is required hereunder.

P. *Yearly Report.* The City Administrator shall provide a yearly report to the City Council of the dollar amount of environmentally preferred products purchased by the City in the preceding year, the categories of products purchased, the savings or costs associated with the green purchasing policy, and any other effects associated with the City's green purchasing program.

Section 140.040. Accounting Standards and Procedures.

[R.O. 2008 §2-219; Ord. No. 829 §6, 12-12-1977]
The City shall adopt the accounting standards as prescribed by the American Institute of Certified Public Accountants and the Governmental Accounting Standards Board. The City Administrator may promulgate administrative accounting procedures for uniform accounting procedures.

Section 140.050. Financial Reports.

[R.O. 2008 §2-220; Ord. No. 829 §8, 12-12-1977; Ord. No. 2130 §1, 6-11-2001]

A. The City Administrator shall prepare or cause to be prepared quarterly statements of municipal revenue, expenditures and current financial condition. Such reports shall be distributed to the Mayor and City Council.

B. For the purposes of financial reports, any encumbrance or contractual financial commitment in excess of two thousand dollars ($2,000.00) shall be reflected as an expense during the month and fiscal year in which it is incurred. Any such encumbrance shall be deducted from any cash balance to reflect an accurate accounting of uncommitted funds. Encumbrances shall not lapse at year-end.

Section 140.060. Investments.

[R.O. 2008 §2-221; Ord. No. 829 §9, 12-12-1977; Ord. No. 3053 §1, 3-28-2005]

A. The City Administrator shall seek the highest yield from the investment of surplus City funds consistent with the safety of investment and cash flow requirements of the City provided such investments are consistent with State Statutes regulating such investments. A report shall be made to the Mayor and City Council.

B. The City Council shall designate a City depository for handling any City checking account at least once every three (3) years.

Section 140.070. City Administrator's Supplement To City Purchasing and Sales Policy.

[R.O. 2008 §2-222; Ord. No. 4000, 1-9-2006]

A. *Purchase Orders.*

1. After approval of a requisition, the City purchase order form will be completed and signed by the Director of Finance in accordance with these procedures. In order to insure expeditious processing of purchase orders, it is important that the requisition be completed accurately by the requisitioning department. When applicable, a copy of City Council approval action shall be attached to the requisition.

2. A *"purchase order"* is an offer to make a contract between the City and a vendor. The contract is not binding until it is accepted by the vendor. The issuance of purchase orders or direct purchases by unauthorized individuals or any other unauthorized purchase (including, but not limited to, personal expenses) will not be recognized by the City and payment for these obligations will not be approved. Purchase orders in excess of five thousand dollars ($5,000.00) must be signed by the City Administrator.

3. The purchase order will consist of three (3) copies; one (1) copy will remain in the Finance Department (attached to the requisition) and two (2) copies will be returned to the requisitioning department.

4. Purchase orders are classified as either "original" or "confirming" based on whether or not the vendor has previously been notified of the City's intent to make the purchase of goods or services.

B. *Construction Contracts.*

1. Construction contracts supervised by City personnel shall be bid through the Public Works Department in accordance with the procedures established for other purchases according to the applicable price range.

2. Construction contracts supervised by outside consulting services shall be bid in coordination with the Public Works Department. A bid package shall be reviewed by public works and approved by the department head or designated representative. The consultant as determined by the Public Works Department and the department head or designated representative shall distribute the bid package to potential bidders. Public works shall receive, record and tabulate the bids and shall certify that bids were opened in compliance with all purchasing policy requirements. The final award of the bid shall be communicated to the successful bidder by the Public Works Department.

3. All required performance bonds must be obtained.

C. *Product Testing/Demonstrations.*

1. Product demonstrations may be held as deemed appropriate by a department director without prior approval of the Finance Department.

2. Prior to taking into the City's possession any item for testing or evaluation, departments shall contact the Director of Finance for approval. The department shall notify the vendor in writing that the City has taken the item into possession for test purposes only and if a purchasing decision is made, that decision will be communicated directly to the vendor at the end of the test period. In no event shall the retention of a test item by the City be evidence of intent to purchase said item.

D. *General Instructions.*

1. *General specifications.*

   a. Keep specifications as simple as possible while maintaining the exactness required to insure bidders provide the quality goods or services as required by specifications.

   b. Whenever possible, identify the equipment or material required with some name brand or known standard specifications already on the market.

   c. Specifications should promote competition. Justification must be provided to the City Administrator for restrictive specifications.

   d. Flexibility in the specifications is desirable in instances where new technologies are being sought. Specifications should be specific enough to guarantee the quality required but sufficiently flexible to allow vendors to be creative in their proposals.

   e. Specifications should be written with clear, simple language.

2. *Types of specifications.* There are several ways of structuring specifications to protect the integrity of the purchasing process and to insure that the needs of the City are met. Different methods of structuring specifications include:

   a. *Qualified products or acceptable brands list.* These lists are developed only where it is not possible to write specifications adequate to identify the quality and performance required of the goods or services to be purchased. Acceptable brands lists are also used when tests that would be necessary to determine compliance with technical specifications are lengthy, costly or require complicated technical equipment.

   b. *Specifications by brand or trade name.* Brand or trade names should be used where brand-name products have been found to be superior to others for the purpose intended.

   c. *Specifications by blueprint or dimension sheet.* Specifications of construction projects for everything from buildings and streets to custom-built cabinets, furniture, machines or other equipment should be written to reference the blueprints or dimension sheets prepared by the engineer or architect.

   d. *Specifications by chemical analysis or physical properties.* Specifications which include the chemical analysis or physical properties of the goods, when clearly requested, place responsibility on the supplier to provide exactly those items requested.

   e. *Specifications by performance, purpose or use.* Specifications which include a set of performance criteria for the goods or services required will provide flexibility for vendors to design products or programs specifically aimed at meeting such criteria.

   f. *Specification by identification with industry standards.* Specifications will often refer to industry-wide standards or to standards set by other public jurisdictions.

   g. *Specifications by samples.* Whenever appropriate, a sample is always a good way to make requirements perfectly clear.

3. *Delivery and performance guidelines.* A contract or purchase order that is complete in all respects and that is accepted by the parties concerned still must produce the intended results or objectives before it can be considered a successful or completed purchase. The terms and conditions must clearly define the delivery and performance requirements of the services, supplies or equipment.

   a. *Follow-up and expediting.* Follow-up normally applies to the monitoring of the delivery schedules to assure compliance. Expediting, in the purest sense, involves an attempt to improve or to reduce the contractually stipulated delivery time for various reasons and the vendor is not legally obligated to comply. The primary objectives of the follow-up function are:

(1) To assure full compliance by the vendor; and

(2) To develop documentation for future evaluation of the vendor's performance.

If delivery problems develop, there are certain techniques that may be used to help solve them:

(a) Contact the salesman for assistance.

(b) Initiate collect phone calls; letters may also be used.

(c) Visit the vendor's plant. This might help solve the problem and will assist in verifying any reason for the delay.

(d) Cancel the contract for non-performance.

Prior to the cancellation, authorization from the Director of Finance or City Administrator must be obtained.

4. *Delinquent deliveries.* When follow-up efforts have failed and the deliveries have become delinquent, one (1) of two (2) actions must be taken:

   a. Authorize additional time for delivery; or

   b. Cancel and order from other sources.

   Prior to cancellation, authorization from the Director of Finance or City Administrator must be obtained. In all cases, the reasons for delinquent deliveries should be documented. This information may be needed in evaluating future bids submitted by that particular vendor.

5. *Partial deliveries.* Some purchase orders may list several items. If these items can be used separately, partial payments can and should be authorized. However, if the separate items are part of a system, then partial deliveries should not be authorized.

6. *Substitution.* To meet the contractual delivery schedule, it may be appropriate in some situations to consider substitute items. The specifications may cover such a possibility.

   Whenever substitutions are necessary due to shortcomings of the vendor, it is the responsibility of the purchaser to seek and obtain an adjustment for lower prices on the substituted items.

7. *Non-performance.* Should the vendor fail to meet any requirements of the specifications, the vendor can be cited for non-performance. Recourse could include:

   a. The City may exercise its rights under a liquidated-damages clause or under the terms of a performance bond.

   b. The City may obtain the needed items from another source and charge delinquent vendor the excess difference in cost.

   c. The City may terminate the contract for default if it is in the best interest of the City and items can be obtained under more favorable conditions from other sources.

   Any such action should be approved by the Finance Director or the City

Administrator.

8. *Inspection and testing guidelines.* Goods and materials should be checked at the time of receipt to detect any damage or defects. Inspection and testing may be performed at origin or destination.

   a. *Reports, rejection and return authorization.* Whenever an inspection is performed, all reports to properly support claims or actions must be thoroughly documented. A copy of the inspection report will normally be used to substantiate payment for the goods and verification of receipt. In the event of rejection, for whatever purpose, certain steps must be taken to inform and protect the rights of the vendor as well as the City. Reasons for rejection must be listed and these reasons should reference specific requirements of the contract.

   b. *Damage during shipment.* It is important that all damage be completely described on the receiving report. Any evidence of concealed damage should be noted at this time. The carrier should be notified immediately and a joint inspection should be scheduled with the carrier's representative. When it is apparent that the extent of the damage causes the goods to be worthless, they should not be accepted.

   c. *Latent defects.* Latent defects may be the result of damages in transit or of failure of the manufacturer to conform to specifications. If specific liability for the defect cannot be determined between the carrier, the vendor or the manufacturer, the City may have to file a claim against all parties seeking their cooperation in resolving the situation.

9. *Invoices.* Vendors are to be instructed to send all original invoices to the City of Creve Coeur, Accounts Payable Department, 300 North New Ballas Road, Creve Coeur, Missouri 63141.

10. *Purchases supported by grant funds.* Departments shall review all requirements for grant funds used in the procurement of items to insure the bidding process required as a condition to receiving said grant funds is complied with during the procurement of the item. The Finance Department will assist in the inclusion of all required procedures that are in addition to the requirements of the policy.

11. *Delivery of items.* When items are delivered to City departments, the only paperwork to be signed is the delivery notice. Any other vendor purchase order, document, contract, warranty, maintenance agreement, etc., is not to be signed at delivery. All such documents shall be forwarded to the Finance Department or retained by the appropriate department.

E. *Disputes, Adjustments And Appeals.*

1. Departments shall notify the Finance Department in a timely manner concerning any complaint or dispute regarding an order, delivery, specification, defective goods or poor performance by a supplier. Any decision concerning an attempt to cancel a contract or an attempt to resolve a dispute regarding defective products or unacceptable services shall be made jointly by the Finance Department and the department director or department designated representative. Any correspondence with suppliers shall be made available to both the department director and the Director of Finance.

2. In the event a procurement dispute arises between the requesting department and the Finance Department, the City Administrator shall make the final decision.

F. *Compliance With Applicable Law.* All transactions shall be made in compliance with applicable law, including, but not limited to, the City's Charter and ordinances and also State laws governing such issues as general construction bidding requirements per Chapter 8, RSMo., guaranteed energy cost savings contracts (Section 8.231, RSMo.), buying preferences (Sections 34.073 et seq., RSMo.), health insurance (Section 67.150, RSMo.), transactions with Federal and State Government (Sections 70.100 et seq., RSMo.), special assessment sidewalks (Sections 88.880 et seq., RSMo.), solid waste (Section 260.208, RSMo.) and prevailing wage on public works projects (Section 290.250, RSMo.). Before commencing efforts regarding a transaction involving an unfamiliar subject area, a determination should be made as to whether a consultation with the City Attorney is necessary.

G. *Responsibility For Enforcement.* The Director of Finance shall be responsible for monitoring the compliance with this policy. Department directors will be entrusted with the responsibility of enforcing the policy within their departments.