

CHAPTER II

OTHER ADMINISTRATIVE DUTIES

- 2.1 Newsletter
- 2.2 Contracts and Agreements
- 2.3 Bidding Procedures
- 2.4 Grants
- 2.5 Insurance

2.1 Communicating with the Public

The clerk may be asked by the mayor to prepare a quarterly (or another timeframe) newsletter or some other form of communication. Information may be gathered from the mayor and council members, city/town departments, the library, senior citizens center and other civic organizations. If preparing a newsletter, print mailing labels for the newsletter from the utility billing software. Place extra copies of the newsletter in a display rack in city/town hall, the library and post on the city/town website.

2.2 Contracts and Agreements

Municipalities engage in contracts or formal agreements for a variety of services such as professional services, purchase of goods, construction of facilities, acquisition of property, inter---local agreements, and inter---governmental agreements. These contracts are written agreements that are binding on the parties involved. Contracts and agreements are usually prepared by the city attorney and *must be approved by the council for execution by the mayor*.

The clerk usually attests the signatures on the contract by signing and affixing the city/town seal and maintains the contract or agreement in the city/town records. The clerk monitors the contract by noting time frames and deadlines and offers reminders to those implementing the contract or agreement.

2.3 Bidding Procedures

Competitive bid/proposals are required for any purchase in excess of \$80,000 [7-5-4302, MCA](#). Always check the statute for specifics. Advertise the bid/proposal in newspapers and include:

- Heading-----“Request for Proposals, “Invitation to Bid”
- Description of service or purchase
- Date and time the sealed bids must be received
- Name, address and phone number of the contact person
- Items to be included in the sealed bid proposal

Because there are specific requirements for water and sewer projects that must be followed, always check with the engineer, state, etc. to insure accuracy. Water and wastewater project bids should be maintained in the appropriate utility or project files.

The Clerk’s office receives the bid or proposal, which must be in a sealed envelope, with the type of bid/proposal on the front (end loader bid, engineer proposal, etc.). Some bids/proposals are accompanied by a security deposit, such as a cashier’s check, bond, etc. When received, the envelopes should be marked with a date and time stamp (or handwritten). Consider having the person who received the envelope add their initials next to the date and time stamp, so it is clear who received the bid in case the clerk is not available. The bid envelopes must not be opened when they are received, rather, they should be placed in the safe until the scheduled bid opening.

Give public notice of the date and time when the bids will be opened. All bids/proposals must be opened at a time and place specified in the notice. Attach the envelope to each bid. Staff will review the bid/proposal and report to the council and give their recommendation to the council. Only the council may select the winning bid/proposal for award of the contract.

The clerk notifies the successful bidder/proposer. Notify the unsuccessful bidders/proposers and return their deposits/bonds AFTER the successful bidder/proposer has signed a contract. Make a copy of the cashier check or

bond for the file prior to returning it to the unsuccessful bidder(s). Maintain a file for bids. The file should include:

- Description of equipment, project or service
- Request for proposal if used
- Proof of advertisement from the newspaper
- Bid award recommendation
- Notice of award
- Successful bid on top
- Unsuccessful bids in order of bid award recommendation: bottom of file

SAMPLE INVITATION FOR BIDS

Notice is hereby given that the City/Town of _____ will accept bids for the following described street overlay project until June 30, 2010 at 5:00 p.m.

Bid Specifications

2" overlay of City/Town streets

The bids should be directed to the City/Town of _____, PO Box 100, _____, MT 59999.

The bids must be clearly marked "Street Paving bid". The bids will be opened July 1, 2013 at 9:00 a.m. in the City/Town Clerk's Office at 100 Main Street.

For more information contact Mayor John Doe, 100 Main Street _____, MT 59999. Telephone Number: 406---555---1111.

The City/Town of _____ reserves the right to reject any or all bids, to waive any informality in bids, to accept in whole or part such bid or bids as may be deemed in the best interest of the purchaser.

, Mayor

Attest:

Jane Smith, MMC City/Town
Clerk/Treasurer

Publish June 1 and June 8, 2020 as a legal notice

SAMPLE REQUEST FOR PROPOSALS FOR ENGINEERING SERVICES

The City/Town of _____ has tentatively been awarded a Treasure State Endowment Program (TSEP) grant in the amount of \$600,000 and a DNRC grant in the amount of \$100,000 by the Montana Legislature for water system improvements including the replacement of undersized water mains, installation of new hydrants and valves, road restoration and other appurtenances located in the City/Town of _____. The water system improvements will be designed in 2012 and will be constructed in 2013. The Facility Plan is available at the City/Town of _____ Offices.

Contingent upon this award, the City/Town Council (Commission) of _____ is soliciting proposals for engineering services to assist the City/Town _____ in designing and supervising construction of this project in compliance with all applicable requirements under the Montana TSEP Program. Payment terms will be negotiated with the selected offer. The fee for engineering services will be paid with TSEP funds.

The services to be provided will include:

- Designing system improvements and construction engineering;
- Preparing the construction bid package in conformance with applicable TSEP requirements and supervising the bid advertising, tabulation, and award process, including preparing the advertisements for bid solicitation, conducting the bid opening, and issuing the notice to proceed;
- Conducting the preconstruction conference;
- Field staking, on-site inspection of construction work, and preparing inspection reports;
- Reviewing and approving all contractor requests for payment and submitting approved requests to the governing body;
- Providing reproducible plan drawings to the City/Town (or County) upon project completion;
- Conducting final inspection and testing;
- Submitting certified "as built" drawings to the Montana Department of Environmental Quality;
- Preparing an operation and maintenance manual; and
- Administering grant and general project management services.

Responses should include:

1. The firm's legal name, address, and telephone number;
2. The principal(s) of the firm and their experience and qualifications;
3. The experience and qualifications of the staff to be assigned to project;
4. A description of the firm's prior experience, including any similar projects (in particular those funded by TSEP), size of community, location, total construction cost, and name of a local official who has knowledge of the firm's performance;
5. A description of the firm's current work activities and how these would be coordinated with the project, as well as the firm's anticipated availability during the term of the project; and
6. The proposed work plan for activities to be performed.

SAMPLE BID EVALUATION AND SCORING FORM

Respondents will be evaluated according to the following criteria:

The qualifications of the professional personnel to be assigned to the project	25%
The consultant's capability to meet time and project budget requirements	10%
Location	5%
Present and projected workloads	10%
Related experience on similar projects	25%
Recent and current work for the entity issuing the RFP	25%

The selection of finalists to be interviewed will be based on an evaluation of the written responses. The award will be made to the most qualified offeror whose proposal is deemed most advantageous to the City/Town of __, all factors considered. Unsuccessful offerors will be notified as soon as possible.

Questions and responses should be directed to Mayor John Smith, P.O. Box 100, _____, Montana, 59000. Telephone Number: 406, 999-1111.

Submit five (5) copies of the proposal and five (5) copies of any supportive materials to the City/Town of, 100 Main Street, P.O. Box 100, _____, MT 59999. All responses must be postmarked no later than 5:00pm July 1, 2010. Please state "TSEP Engineering Services Proposal" on the outside of the response package.

Respondents may review the TSEP application, which includes a description of the proposed project including activities, budget, schedule, and other pertinent information by visiting the City/Town of _____ offices during regular office hours. A copy of the application is also available for review at the offices of the Community Development Division, Montana Department of Commerce, 301 S. Park Ave., Helena, MT 59620-0523.

This solicitation is being offered in accordance with state statutes governing procurement of professional services. Accordingly, the City/Town of _____ reserves the right to negotiate an agreement based on fair and reasonable compensation for the scope of work and services proposed, as well as the right to reject any and all responses deemed unqualified, unsatisfactory or inappropriate.

2.4 Grants

Municipalities may receive grants from various sources and for various projects and also may serve as a pass-through conduit for grants for other organizations (Ambulance Company, Human Resource Development Council etc.). The clerk may research and write grant applications and inform other organizations of grant information that may pertain to them. The clerk must:

- **Follow all reporting requirements** very carefully ensuring that reports are filed on time and filled out completely.
- **Document everything** done in connection with a grant and maintain a file(s) for the project.
- **Set up fund/accounts** specific to BARS to match grant type.
- **Ensure that grant funds are used for the purpose intended.** Any questions should be referred to the granting agency.

2.5 Insurance

Municipalities have several types of insurance to cover losses from claims that are made against the city/town. The most common insurance coverage includes:

1. Workers' Compensation
2. Liability
3. Property (including Boiler & Machinery and Pollution Control)
4. Health Insurance
5. Crime and Fidelity
6. Employment Practices Liability
7. Accidental Death/Dismemberment for Volunteer Firemen

To administer the insurance program:

- Keep policies available for use and review
- Keep lists of current buildings and contents, equipment, vehicles, and other assets
- Respond to update request from the insurance carriers such as MMIA
- Promptly process and maintain a file on all claims
- Order, receive, use and return training/safety videos provided as part of the insurance company's risk management program.
- Advise insurance carrier immediately of newly acquired or sold property/equipment.