

SALT LAKE COUNTY ORDINANCE

Ordinance No. 1789

November 10, 2015

AN ORDINANCE ADDING CHAPTER 3.25, ENTITLED "REQUEST FOR APPLICATIONS", OF THE SALT LAKE COUNTY CODE OF ORDINANCES, 2001, REGARDING THE CREATION OF A REQUEST FOR APPLICATIONS PROCESS.

The County legislative body of Salt Lake County, Utah ordains as follows:

SECTION I. The amendments made herein are designated by underlining the new substituted words. Words being deleted are designated by brackets and interlineations.

SECTION II. Chapter 3.25 of the Salt Lake County Code of Ordinances, 2001, is enacted to read as follows:

Chapter 3.25 – REQUESTS FOR APPLICATIONS

3.25.010 - Conditions for use.

A Request for Applications (RFA) process may be used when a County agency administers a grant or funding program that requires applications in order to participate in the program and the county is not the direct recipient of, or directly procuring, goods or services.

3.25.020- Request for applications (RFA).

Request for applications shall be prepared by the requesting agency. The agency shall establish a format to be used for the request for applications. The attorney may assist with the preparation of a request for applications. Prior to advertising, the agency shall obtain approval as to form of any required contract terms by the attorney.

The requesting agency shall establish an application review committee for review of the applications.

1. All review committee members shall impartially review the submitted applications.

2. The actions of individual review committee members are governed by the provisions of the Salt Lake County Ethics Ordinance, Chapter 2.07, and the Unlawful Conduct and Penalties Part of the Utah Procurement Code, (Utah Code Ann. § 63G-61-2401 et seq.).

3.25.030 - Evaluation factors.

The request for applications shall state the relative importance of evaluation factors. The county's preference system in procurement of goods and services, Ordinance 3.24, does not apply to the Request for Applications process.

3.25.040 - Public notice.

At a minimum, adequate public notice of the request for applications shall be given on the county's website. Notice may also be given by publication of general announcement in a newspaper of general circulation published in the county, or any other lawful form of announcement or manner otherwise proscribed by law. Nothing in the section shall be construed to prohibit placing additional announcements or advertising.

3.25.050 - Disclosure of applications.

Applications shall be disclosed pursuant to GRAMA and other applicable laws. The program administrator shall keep public records and process applicable GRAMA requests.

3.25.060 - Discussion with applicants and revisions to applications.

As provided in the request for applications, discussions may be conducted with applicants who submit applications determined to be reasonably susceptible of being selected for award for the purpose of clarification to assure full understanding of, and conformance to, the application requirements. Applicants shall be accorded fair and equal treatment with respect to any opportunity for submission, clarification, discussion, and revision of applications and such revisions may be permitted after submissions and prior to award.

3.25.070 – Application Award.

The application review committee shall recommend a contract or grant to applicants whose applications are the most responsive or advantageous, taking into consideration the evaluation factors set forth in the request for applications. The administering agency shall keep a file of the applications and award recommendations. The file shall contain the basis on which the award is made. The mayor or proper administering authority shall approve or reject the review committee's recommendation. Upon selection of approved applicant(s), a contract may be prepared and approved by the mayor or designee in accordance with county contracting procedures.

3.25.080 – Application Appeals.

Persons who are aggrieved over a request for applications award may appeal to the program administrator. All appeals shall be submitted in writing within seven calendar days after notification of the award is posted on the county's website or delivered to the applicants. An appeal may be amended and/or supplemented during the seven calendar days after notification of the award is posted, but shall not amend and/or supplement its appeal after the expiration of that time period. An aggrieved applicant may file only one appeal after the closing date for applications.

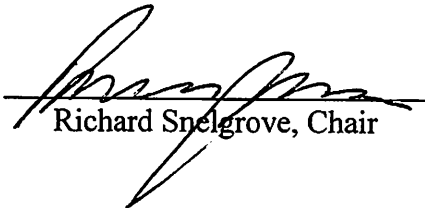
If an appeal is received, the county may proceed with its application process, but shall not execute the contract until the appeal is withdrawn by the applicant or denied by the mayor, unless the program administrator, makes a written determination that the execution of the contract is necessary to protect the interests of the county.

Appeal letters should specifically and completely state the facts that constitute the error in the applications process or the award and the desired remedy. The program administrator will immediately notify the attorney of all appeals and may refer the appeal to appropriate county staff or the attorney to investigate and make a recommendation. An informal meeting may be scheduled if more information is needed. After review of the appeal, the program administrator shall make a recommendation to the mayor who shall make a final determination on the appeal.

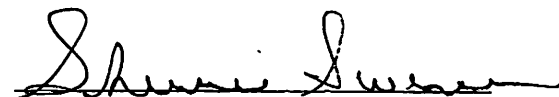
SECTION III. This ordinance shall become effective fifteen (15) days after its passage upon at least one publication of the ordinance or a summary thereof in a newspaper published and having general circulation in Salt Lake County.

APPROVED and ADOPTED this 10 day of November, 2015.

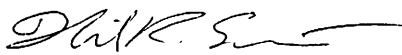
SALT LAKE COUNTY COUNCIL

By 
Richard Snelgrove, Chair

ATTEST:


Sherrie Swensen
County Clerk

Approved as to form and legality:


Deputy District Attorney
Date: 10/29/15

Voting:

Council Member Bradley voting	<u>"AYE"</u>
Council Member Bradshaw voting	<u>"AYE"</u>
Council Member Burdick voting	<u>"AYE"</u>
Council Member DeBry voting	<u>"AYE"</u>
Council Member Granato voting	<u>ABSENT</u>
Council Member Jensen voting	<u>"AYE"</u>
Council Member Newton voting	<u>"AYE"</u>
Council Member Snelgrove voting	<u>"AYE"</u>
Council Member Wilson voting	<u>"AYE"</u>

Vetoed and dated this _____ day of _____, 2015.

By _____
Mayor Ben McAdams or Designee

(Complete As Applicable)

Veto override: Yes ___ No ___ Date _____

Ordinance published in newspaper: Date _____

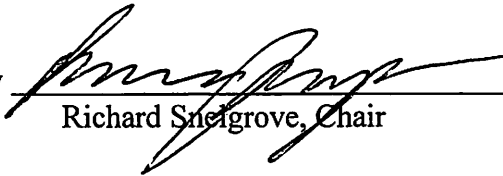
Effective date of ordinance: _____

SUMMARY OF

SALT LAKE COUNTY ORDINANCE NO. 1789

On the 10 day of November, 2015, the County Council of Salt Lake County adopted Ordinance No. 1789, Chapter 3.25, entitled "Request for Applications", of the Salt Lake County Code of Ordinances, 2001, regarding the creation of the Request for Applications process.


SALT LAKE COUNTY COUNCIL:

By 
Richard Snelgrove, Chair

ATTEST


Sherrie Swensen, County Clerk

Approved as to form and legality:


Deputy District Attorney
Date: 10/29/15

Voting:

Council Member Bradley voting	<u>"AYE"</u>
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Council Member Granato voting	<u>Absent</u>
Council Member Jensen voting	<u>"AYE"</u>
Council Member Newton voting	<u>"AYE"</u>
Council Member Snelgrove voting	<u>"AYE"</u>
Council Member Wilson voting	<u>"AYE"</u>

A complete copy of Ordinance No. _____ is available in the office of the Salt Lake County Clerk, 2001 South State Street, N2100A, Salt Lake City, Utah.