

ORDINANCE NO. 831 N.S.

AN ORDINANCE OF THE CITY OF EL PASO DE ROBLES
AMENDING CHAPTER 6.04 OF THE MUNICIPAL CODE
THEREBY ADOPTING INFORMAL BIDDING PROCEDURES UNDER THE
UNIFORM PUBLIC CONSTRUCTION COST ACCOUNTING ACT
(SECTION 22000 OF THE PUBLIC CONTRACT CODE)
“BIDDING PROCEDURES”

WHEREAS, the City Council for the City of El Paso de Robles adopted formal bidding procedures as outlined under Chapter 6.04 “Purchasing and Payment Procedures” – Section 6.04.150 of the Municipal Code; and

WHEREAS, the State of California, Public Contract Code – Section 22032, et seq. sets forth informal bidding procedures for Public Projects; and

WHEREAS, the City Council has determined that it is in the best interest of the City of El Paso de Robles adopt these procedures for informal bidding of Public Projects.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES DOES ORDAIN AS FOLLOWS:

SECTION 1

Section 6.04.155 is hereby added to the City of El Paso de Robles Municipal Code to provide as follows:

Section 6.04.155 – a. Informal Bid Procedures

A Public Works construction project, as defined in the Public Contract Code, meeting specific criteria for cost (currently \$100,000 on an ongoing basis, with case-by-case exceptions up to \$110,000) may be performed by contract acquired by informal procedures as set forth in Section 22032, et seq., of the Public Contract Code. Furthermore,

Section 6.04.155 – b. Contractors List

A list of contractors shall be developed and maintained in accordance with the provisions of Section 22034 of the Public Contract Code and criteria promulgated from time to time by the California Uniform Construction Cost Accounting Commission (Commission). Such list will be maintained by the Public Works Director or designee.

Section 6.04.155 – c. Notice Inviting Bids

When a Public Works construction project is to be performed which is subject to the provisions of this Ordinance, a notice inviting informal bids shall be mailed to all contractors for the category of work to be bid, as shown on the list developed in accordance with Section 6.04.155 – b, and to all construction trade journals as specified by the California Uniform Public Construction Cost Accounting Commission in accordance with Section 22036 of the Public Contract Code. Additional contractors and/or construction trade journals may be notified at the discretion of the Public Works Director; provided however;

1. If there is no list of qualified contractors maintained by the Public Works Director for the particular category of work to be performed, the notice inviting bids shall be sent only to the construction trade journals specified by the Commission.
2. If the product or service is proprietary in nature such that it can be obtained only from a certain contractor or contractors, the notice inviting informal bids may be sent exclusively to such contractor or contractors.

Section 6.04.155 – D. Award of Contracts

Award of contract to the successful bidder (responsive, responsible low-bidder) will be executed in accordance with the Purchasing Manual, as described in Section 6.04.130

SECTION 2. Publication. The City Clerk shall cause this Ordinance to be published once within fifteen (15) days after its passage in a newspaper of general circulation, printed, published and circulated in the City in accordance with Section 36933 of the Government Code.

SECTION 3. Effective Date. This Ordinance shall go into effect and be in full force and effect at 12:01 a.m. in the 31st day after its passage.

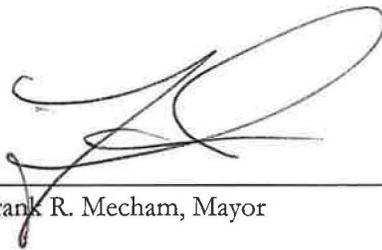
SECTION 4. Inconsistency. To the extent that the terms or provisions of this Ordinance may be inconsistent or in conflict with the terms or conditions of any prior City Ordinance(s), motion, resolution, rule, or regulation governing the same subject matter thereof, such inconsistent and conflicting provisions or prior Ordinance, motions, resolutions, rules, and regulations are hereby repealed.

SECTION 5. Severability. If any section, subsection, sentence, clause, or phrase of the Ordinance is, for any reason, found to be invalid or unconstitutional, such finding shall not affect the remaining portions of this Ordinance.

The City Council hereby declares that it would have passed this Ordinance by section, subsection, sentence, clause or phrase irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases are declared invalid or unconstitutional.

Introduced at a regular meeting of the City Council held on July 2, 2002, and passed and adopted by the City Council of the City of El Paso de Robles on the 16th day of July 2002 by the following vote:

AYES: Finigan, Heggarty, Nemeth, Picanco and Mecham
NOES: None
ABSENT: None
ABSTAIN: None



Frank R. Mecham, Mayor

ATTEST:



Sharilyn M. Ryan, Deputy City Clerk