

CITY OF CLEARLAKE

ORDINANCE NO. 214-2018

AN ORDINANCE OF THE CITY OF CLEARLAKE

ADDING SECTION 3-4.16 TO THE CLEARLAKE MUNICIPAL CODE TO PROVIDE INFORMAL BIDDING PROCEDURES UNDER THE UNIFORM PUBLIC CONSTRUCTION COST ACCOUNTING ACT (Section 22000, et seq. of the Public Contract Code)

WHEREAS, California Public Contract Code Section 22032, et seq, authorizes the City to award certain public project contract by informal procedures; and

WHEREAS, the City would like to utilize this informal bidding option on certain public projects, as permitted by state law.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CLEARLAKE DOES ORDAIN AS FOLLOWS:

SECTION 1. FINDINGS

- A. CEQA COMPLIANCE: The proposed Ordinance is exempt from analysis under the California Environmental Quality Act (CEQA) pursuant to 14 California Code of Regulations Section 15378(b)(5), because the proposed Ordinance to the Clearlake Municipal Code is a government administrative activity that will not result in direct or indirect physical changes to the environment.

SECTION 2.

Section 3-4.16 is hereby added to the Clearlake Municipal Code to provide as follows:

Section 3-4.16 (a). Informal Bid Procedures. Public projects, as defined by the Act and in accordance with the limits listed in Section 22032 of the Public Contract Code, may be let to contract by informal procedures as set forth in Section 22032, et seq., of the Public Contract Code.

Section 3-4.16 (b). Contractors List. The agency shall comply with the requirements of Public Contract Code Section 22034.

Section 3-4.16 (c). Notice Inviting Informal Bids. Where a public project is to be performed which is subject to the provisions of this Ordinance, a notice inviting informal bids shall be circulated using one or both of the following alternatives:

1. Notices inviting informal bids may be mailed, faxes, or emailed to all contractors for the category of work to be bid, as shown on the list developed in accordance with Section 3-4.16 (b),

2. Notices inviting informal bids may be mailed to all construction trade journals as specified by the California Uniform 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 department/agency soliciting bids, provided however:

(1) 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 3-4.16 (d). Award of Contracts

The City Manager/Purchasing Agent is authorized to award informal contracts pursuant to this Section.

SECTION 3.

Effective Date and Publication.

This ordinance shall take effect thirty (30) days from its passage. Before the expiration of fifteen (15) days after its passage, this ordinance, or a summary thereof, as provided in California Government Code section 36933, shall be published at least once in a newspaper of general circulation published and circulated in the City of Clearlake.

PASSED, APPROVED AND ADOPTED this 25th day of October, 2018 by vote as follows:

AYES: Mayor Sabatier, Vice Mayor Harris, Councilmembers Overton, Cremer and Bennett

NOES: None

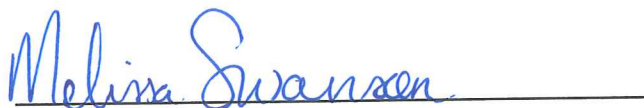
ABSENT: None

ABSTAIN: None



Mayor

ATTEST:



Melissa Swanson, City Clerk

