

## **ORDINANCE 2010-72**

### **AN ORDINANCE TO PROVIDE PROCEDURES FOR: BIDDING AND PURCHASING PROCEDURES**

**(A) INFORMAL BIDS PROCEDURES FOR PUBLIC PROJECTS, MAINTENANCE WORK, AND PURCHASES OF EQUIPMENT, MATERIALS AND SUPPLIES.**

**AND**

**(B) SOLICITATION AND AWARD OF CONTRACTS FOR PUBLIC PROJECTS, MAINTENANCE WORK, AND THE PURCHASE OF EQUIPMENT, MATERIALS AND SUPPLIES NOT SUBJECT TO THE INFORMAL BID PROCEDURES**

#### **SECTION A**

The following shall be the procedures shall be followed in the solicitation and award of informal bids for public projects, maintenance work, and the purchase of equipment, materials and supplies. This section "A" implements the informal bid procedure for the award of contracts for public projects set forth in the Uniform Public Construction Cost Accounting Act (Chapter 2 of Part 3 of Division 2 of the Public Contract Code), and specifically, Article 3 thereof (commencing with Section 22030), and also applies to maintenance work as well as the District's purchase of equipment, materials and supplies. As used in this Section A, the terms "public project" and "maintenance work" shall have the definitions set forth in Section 22002 of the public Contract Code.

1. The Board of Trustees may in its discretion award contracts for public projects, maintenance work, and the purchase of equipment, materials and supplies, by this informal bid procedure when the cost of the public project, maintenance work, or the purchase of equipment, materials or supplies as determined by the estimate of the engineer in the case of public projects, maintenance work, or by the appropriate department head in the case of purchases of equipment, materials or supplies, falls within the range set forth in subdivision (b) of Section 22032 of the Public Contract Code, as that section may be amended from time to time.

- 2. Each department of operation of the District shall develop a list of qualified contractors, vendors, or suppliers, identified according to categories of work, who can perform work, and/or provide materials or equipment to the District necessary for it to carry out its function. The minimum criteria for development and maintenance of the contractor list shall conform to that determined by the California Uniform Construction Cost Accounting Commission. The list shall be reviewed and updated annually and shall be forwarded to the Finance Director. The Finance Director shall make a composite list of all contractors, vendors, and suppliers to be utilized in the informal bidding procedure.**
- 3. Whenever work, supplies, or equipment or materials qualify to be purchased through the informal bid procedure, and the District Manager in his or her discretion determines to use the informal bid procedure, a notice inviting informal bids shall be prepared. The notice shall describe in general the nature of the work to be performed, the materials to be supplied, or the equipment to be purchased, and how to obtain more detailed information about the project or requirements.**
- 4. The notice inviting informal bids shall be mailed to all the appropriate contractors, suppliers, or vendors on the established composite informal bid list maintained by the Finance Director, and in the case of public projects, shall be forwarded for publication in all the appropriate trade journals as specified by the California Uniform Cost Accounting Commission in accordance with Section 22036 of the Public Contract Code. The notice shall be mailed at a minimum ten (10) calendar days before the**

date prior to the date specified in the notice as the last date bids will be accepted by the District.

5. If the work, equipment, materials or supplies are proprietary, a purchase contract will be negotiated. No notice requesting informal bids is required.
  
6. On the date specified, and at the time indicated in the notice, all informal bids shall be opened. After appropriate review by the District, the informal bid will be awarded by the Board of Trustees to the lowest responsive, responsible bidder.
  
7. If all bids received are in excess of the amount specified in subdivision (b) of Section 22032 of the Public Contract code, as that section may be amended from time to time, the Board of Trustees may, by passage of a Resolution by four-fifths (4/5) vote, award the contract at no more than the amount set forth in subdivision (f) of Section 22034 of the Public Contract Code, as that section may be amended from time to time, to the lowest responsive, responsible bidder, if the Board determines the cost estimate of the District was reasonable.

## **SECTION B**

The following procedures shall be followed in the solicitation and award of contracts for public projects, maintenance work, and the purchase of equipment, materials and supplies, that have a total value no greater than the amount set forth in subdivision (a) of Section 22032 of the Public Contract Code, as that section may be amended from time to time and are not therefore subject to the informal bidding procedures set for in Section A of this chapter.

- 1. Where the work consists of a public project or maintenance work, the District may perform all of the work by force account, by negotiated contract, or by purchase order. No bids will be required.**
  
- 2. Where the contract is for the purchase of materials, equipment or supplies, the District may purchase the same by negotiated contract or by purchase order.**
  
- 3. If the work is to be done or equipment, materials or supplies are to be purchased by negotiated contract or by purchase order, a minimum of three (3) quotes of the cost of the work, equipment, materials or supplies will be obtained from contractors or suppliers. For all work, equipment, materials or supplies with an estimated value of more than two-thousand dollars (\$2,000), the quotes will be in writing.**
  
- 4. The District shall, where possible, include in its solicitations suppliers and vendors located within the City of Vallejo.**
  
- 5. If the work, equipment, materials or supplies are proprietary in nature, no quotes need to be obtained and a purchase price will be negotiated.**
  
- 6. All purchases with a value greater than one hundred dollars (\$100.00) must be approved by a Department Head. All purchases greater than five thousand dollars (\$5,000.00) must be approved by the District Manager. The Board of Trustees authorizes the District Manager to execute all purchase orders or agreements for the construction of public projects, the performance of maintenance work, and the purchase of materials,**

equipment, supplies, or services with a value up to the amount specified in subdivision (a) of Section 22032 of the Public Contract Code, as that section may be amended from time to time.

7. In all Solicitation for contract services or purchases under both Sections A and B above, the District will advise those solicited of the District's policy encouraging the participation of MBE/WBE Businesses.

**Effective Date:** This Ordinance shall become effective immediately upon adoption. This Ordinance shall be published once in a newspaper of general circulation, printed and published in the District office within 15 days from and after its adoption. The passage of this Ordinance shall be entered in the minutes of the District.

**ADOPTED** by the Board of Trustees of the Vallejo Sanitation and Flood Control District on the 23rd day of February, 2010 by the following vote:

**AYES:** President Davis, Trustee Sunga, Wilson, Schivley, Hannigan, Brown and Kondylis

**NOES:** None

**ABSENT:** Trustee Gomes

**ABSTAIN:** None

**WITNESS** my hand and seal of said District this 23rd day of February, 2010.

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**Catherine C. Sparks**  
**District Clerk**