

ORDINANCE NO. 804-C.S.

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PACIFICA
AMENDING CHAPTER 15 OF TITLE 3 OF THE PACIFICA MUNICIPAL CODE
RELATING TO BIDDING PROCEDURES FOR PUBLIC PROJECTS**

WHEREAS the City of Pacifica adopted Ordinance 680-C.S. on October 11, 2000, providing for the City to utilize the standardized construction bidding procedures known as the California Uniform Public Construction Cost Accounting Act (CUPCCAA) provided under the California Public Contract Code, as may be amended; and

WHEREAS at the time the City adopted these standardized construction bidding procedures, CUPCCAA allowed a city to perform work through its employee force account, by negotiated contract, or by purchase order if the value of the work was below \$25,000, and allowed a city to perform work through informal bidding if the value of the work was below \$75,000; and

WHEREAS at the time the City adopted these standardized construction bidding procedures, it also adopted Pacifica Municipal Code section 3-15.03, which delegated to the City Manager the authority to award or reject contracts up to the limit of \$25,000, corresponding to the value of a contract that the City could perform through its employee force account, by negotiated contract, or by purchase order; and

WHEREAS as construction costs have increased, the Legislature has amended CUPCCAA to increase the value of the work that may be performed by employee force account, negotiated contract, or purchase order to \$45,000, and increased the value of the work that may be performed through informal bidding to \$175,000; and

WHEREAS the City Council wishes to clarify the provisions of the Pacifica Municipal Code that implement CUPCCAA to raise the limits of the value of work that may be performed through these procedures, and to clarify the delegation of authority to the City Manager under Pacifica Municipal Code section 3-15.03 to award or reject contracts using these procedures.

NOW, THEREFORE, the City Council of the City of Pacifica does ordain as follows:

Section 1. The above recitations are true and correct and material to this Ordinance.

Section 2. Environmental Review. The City Council finds that this Ordinance is not subject to the California Environmental Quality Act (CEQA) pursuant to Section 15060(c)(2) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, as the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment and Section 15060(c)(3) of the CEQA Guidelines as it is not a project as defined by CEQA per section 15378.

Section 3. Amendment of Chapter 15 of Title 3. Chapter 15 of Title 3 of the Pacifica Municipal Code is amended as shown on the attached Exhibit "A."

Section 4. Severability. If any section, subsection, clause, or phrase of this ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision will not affect the validity of the remaining portions of this

ordinance. The City Council hereby declares that it would have passed this ordinance and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of the ordinance would subsequently be declared invalid or unconstitutional.

Section 5. Effective Date. This ordinance shall go into effect thirty (30) days after its adoption and shall be published and posted as required by law.

This ordinance was introduced on the 14th day of December 2015 and scheduled for consideration or adoption on the 11th day of January 2016.

DULY AND REGULARLY ADOPTED this 11th day of January 2016 by a vote of the City Council as follows:

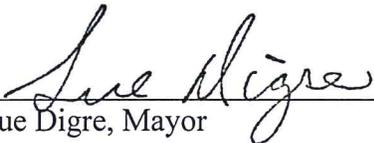
AYES: Keener, Ervin, O'Neill, Digre

NOES: Nihart

ABSENT: None

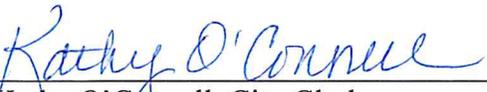
ABSTAIN: None

CITY OF PACIFICA



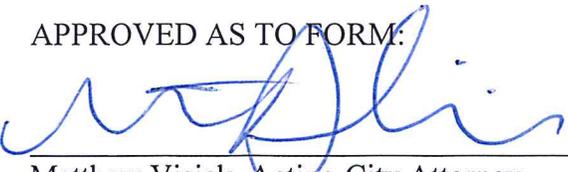
Sue Digre, Mayor

ATTEST:



Kathy O'Connell, City Clerk

APPROVED AS TO FORM:



Matthew Visick, Acting City Attorney