

**BOARD OF DIRECTORS OF THE
LAS GALLINAS VALLEY SANITARY DISTRICT**

ORDINANCE 174

**AN ORDINANCE OF ADDING CHAPTER 7 OF TITLE 1 TO THE ORDINANCE
CODE OF THE LAS GALLINAS VALLEY SANITARY DISTRICT TO
PROVIDE INFORMAL BIDDING PROCEDURES UNDER THE UNIFORM
PUBLIC CONSTRUCTION COST ACCOUNTING ACT FOR
CONSTRUCTION PROJECTS
(Section 22000, et seq. of the Public Contract Code)**

The Board of Directors of the Las Gallinas Valley Sanitary District, Marin County, California, does ordain as follows:

ARTICLE 1. TITLE

An Ordinance of the Las Gallinas Valley Sanitary District (“District”) of San Rafael, California, adopting informal bidding procedures under the Uniform Public Construction Cost Accounting Act (Section 22000, et seq. of the Public Contract Code).

ARTICLE 2. PURPOSE AND SCOPE

Section 201. The purpose of this Ordinance is to adjust the monetary limits for construction projects which can be carried out with administrative decision, informally bid, and formally bid procedures. The contracting limits imposed by Section 20800 of the California Public Contract Code (Sanitary District Public Construction Act) are superseded by Section 22032 of the Uniform Public Construction Cost Accounting Act.

Section 202. With the adoption of the Ordinance, projects less than the Tier 1 dollar amount specified in Attachment 1 may be performed by staff of the Agency, by force account with a contractor, by negotiated contract, or by use of a purchase order.

Section 203. Projects within the Tier 2 dollar amount specified in Attachment 1 may be bid informally, which requires the maintenance of a list of qualified contractors that must be updated annually. All contractors on the list are mailed a notice inviting

informal bids and the notice is also provided to specified trade journals as named by the California Uniform Construction Cost Accounting Commission (CUCCAC).

Section 204. Projects greater than the Tier 3 dollar amount specified in Attachment 1 are bid formally which includes advertising, a bid period of minimum duration, prepublished public bid open date and time, and opening sealed bids.

Section 205. If all bids are in excess of one hundred seventy-five thousand dollars (\$175,000), the District may, by a resolution of a four-fifths vote, award the contract at one hundred eighty-seven thousand dollars (\$187,000) or less, to the lowest responsible bidder, if it determines the cost estimate of the District was reasonable.

ARTICLE 3. AUTHORITY

The authority for public agency adoption of these alternative public contract bidding procedures is derived from the Uniform Public Construction Cost Accounting Act for the State of California (Pub. Cont. Code Sec. 22000 et seq.).

ARTICLE 4. ADMINISTRATION

Section 401. 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 402. 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.

Section 403. Where a public project is to be performed which is subject to the provisions of this Ordinance, a notice inviting informal bids shall be mailed, faxed or emailed to all contractors for the category of work to be bid, as shown on the list developed in accordance with Section 22034. The District may also mail, fax or email a notice inviting informal bids 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 Agency, provided however:

- (1) If there is no list of qualified contractors maintained by the Agency 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 404. The Agency General Manager is authorized to award informal contracts pursuant to this Section.

Section 405. As of March 2018, the limits set by the California Uniform Construction Cost Accounting Commission are shown in Attachment 1. The General Manager is authorized to periodically update the Tier amounts in Attachment 1 to reflect the most recent limits set by the Commission.

ARTICLE 5. ADOPTION AND NOTIFICATION

This Ordinance shall take effect and be in force thirty (30) days from the date of its passage, and before the expiration of fifteen (15) days after its passage, it or a summary of it shall be published once, with the names of the members of the Board of Directors of the Las Gallinas Valley Sanitary District of Marin County, California, voting for and against the same in the Marin Independent Journal, a newspaper of general circulation published in the County of Marin.

I hereby certify that the foregoing is a full, true and correct copy of the Ordinance duly and regularly passed and adopted by the Board of Directors of the Las Gallinas Valley Sanitary District of Marin County, California, at a meeting hereof held on June 28, 2018, by the following vote of members thereof:

AYES:
NOES:
ABSENT:
ABSTAIN:

Teresa Lerch, District Secretary
Las Gallinas Valley Sanitary District

APPROVED:

Megan Clark, Board President

ATTACHMENT 1

The table below shows the CUCCAC amounts for the three Tiers referenced in Ordinance 2018-174, as of May 2018. The General Manager will update the Tier amounts after the CUCCAC approves adjustments.

Table 1

	CUCCAC
Tier 1	Less than \$45,000
Tier 2	Between \$45,000 to \$175,000
Tier 3	Greater than \$175,000