

LEGISLATIVE DIGEST

ORDINANCE NO. 20-0019

AMENDING MUNICIPAL CODE CHAPTERS 2.36 AND 2.37
TO AUTHORIZE ELECTRONIC FILING OF BIDS, AND
MODIFYING THE AUTHORITY TO APPROVE CHANGES
ORDERS AND PROCURE PROFESSIONAL SERVICES

(New language: Bolded and Underscored Dark Blue;

~~Deleted Language: Red~~

SECTION 1. Subsections E and F of MBMC Section 2.36.070, pertaining to the City's formal contract procedure, are hereby amended to provide for electronic bidding, as follows:

"E. Bid Opening Procedure. ~~Sealed bids~~Bids shall be submitted ~~to the City Clerk's Office and shall be identified as bids on the envelopes. Bids shall be opened in public at the time and place stated in the public notices. A tabulation of all bids received shall be available for public inspection.~~electronically through the electronic bidding system used by the City's General Services division, unless the Purchasing Manager determines otherwise. Bids shall be made publicly available upon opening.

F. Confidentiality of Bids. ~~Any written bid~~All bids received pursuant to the provisions of this chapter shall not be revealed directly or indirectly to any other bidder until the bidding process is completed and all submitted bids have been ~~received and opened.~~verified. A tabulation of all bids received shall be ~~open~~available for public inspection during regular business hours after the ~~bid opening~~bids have been verified."

SECTION 2. Subsection B of MBMC Section 2.36.090, pertaining to purchase orders, is hereby amended to increase the contracting authority of the Finance Director and City Manager as follows:

"B. Change Orders. Any change order for an approved purchase or contract shall be documented by a purchase order addendum. The Finance Director may authorize cumulative increases up to \$20,000 as long as sufficient funding is available. The City Manager may authorize cumulative increases up to the informal contract threshold of \$50,000 as long as sufficient funding is available."

SECTION 3. Section 2.36.130 pertaining to contracts for professional services is hereby amended to increase the contracting authority of Directors and the City Manager as follows:

“Contracts for services of specially-trained and professional persons shall be exempt from bidding, ~~however, if.~~ Such contracts may be procured by the Director of the Department (or designee) that requires the services, in accordance with established administrative rules and procedures. If the amount equals or exceeds \$20,000 the City Manager’s approval is required. All contracts equaling or exceeding 50,000 must be approved by the Council.”

SECTION 4. Section 2.37.040 subsection C is hereby amended to provide for electronic bidding as follows:

“C. Level 3 Projects. Public projects that exceed the limit in Public Contract Code Section 22032(~~ba~~), as it now exists or may subsequently be amended, and are not let to contract by the informal bid procedures in subsection B of this Section shall, except as otherwise provided by law, be let to contract by the formal bidding procedures set forth in this subsection.

1. Notice inviting formal bids. The City shall publish and mail a notice inviting sealed formal bids in accordance with the provisions of Public Contract Code Section 22037, or any successor statute thereto.

2. Receipt of bids. ~~Bids~~Electronic bids shall be ~~sealed~~received through the electronic bidding system selected by the City, and shall not be opened until the time ~~and place~~ designated in the bid specifications. Bids must be received prior to the bid opening to be considered. Users of the City’s electronic bidding system shall be charged a fee, in an amount determined by the City Council by resolution.

3. Award. The City Council shall award the bid to the lowest responsible bidder, or reject all bids pursuant to Public Contract Code Section 22038, or its successor statute. The City Council may waive any irregularities or informalities in any bid or bidding.”