ORDINANCE NO. 2013-1741

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SOLANO RENAMING CHAPTER 22, REPEALING ARTICLE III, AND ADDING ARTICLES III AND IV OF THE SOLANO COUNTY CODE RELATING TO PURCHASING AND TO PROVIDE INFORMAL BIDDING PROCEDURES UNDER THE UNIFORM PUBLIC CONSTRUCTION COST ACCOUNTING ACT AND SALE OF SURPLUS PROPERTY

The Board of Supervisors of the County of Solano ordains as follows:

Section 1. The title of Chapter 22 of the Solano County Code is amended to read as follows:

CHAPTER 22

PURCHASING AGENT AND BIDDING

Section 2. Article III of Chapter 22 is repealed in its entirety.

Section 3. Article III of Chapter 22 is added to the Solano County Code to read as follows:

Article III. INFORMAL BIDDING

Sec. 22-30. Informal Bid Procedures
Public projects, as defined by the Uniform Public Construction Cost Accounting 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 Public Contract Code section 22030, et seq.

Sec. 22-31. Lists of Contractors
A list of contractors shall be developed and maintained in accordance with the provisions of Public Contract Code section 22034 and criteria promulgated from time to time by the California Uniform Construction Cost Accounting Commission. Where it is appropriate to provide for pre-qualification, the County may develop and maintain appropriate pre-qualification packets for different levels and/or categories of work.

Sec. 22-32. Notice Inviting Informal Bids.
Where a public project is to be performed which is subject to the provisions of this Article, a notice inviting informal bids shall be mailed to all contractors for the category of work to be bid, as shown on the list developed in accordance with Section 22-31 above, and/or to all construction trade journals as specified by the California Uniform
Construction Cost Accounting Commission in accordance with Public Contract Code section 22036. Additional contractors and/or construction trade journals may be notified at the discretion of the department soliciting bids, provided however:

A. If there is no list of qualified contractors maintained by the County 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 California Uniform Construction Cost Accounting Commission.

B. 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.

Sec. 22-33 Award of Contracts.
The County Purchasing Agent and the County Transportation Director are each authorized to award informal contracts pursuant to this section.

Section 4. Article IV of Chapter 22 is added to the Solano County Code to read as follows:

Article IV. SALE OF SURPLUS PROPERTY

Sec. 22-40. Surplus property
The purchasing agent or an authorized representative thereof shall sell, lease, exchange, trade in, or otherwise dispose of unneeded or surplus personal property of the county or any using agency which has an estimated value of more than five hundred ($500) dollars to the highest responsible bidder in accordance with procedures set forth in state law. Bids may be received in writing in the form of competitive proposals, by auction conducted by the purchasing agent or authorized representative thereof, or both.

Surplus property having a value of less than five hundred ($500) dollars shall be disposed of by the purchasing agent or an authorized representative thereof, pursuant to the policy established and contained in the purchasing policy manual.

Sec. 22-41. Purchase prohibited
No officer, agent or employee of the county assigned to the purchasing function or responsible for surplus property declarations shall either directly or indirectly submit a bid for or purchase unneeded surplus personal property.
Section 5. Severability

If any provision of this ordinance is for any reason held by a court of competent jurisdiction to be invalid, including but not limited to being preempted by state or federal law, that provision shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion hereof nor other applications of the ordinance which can be given effect without the invalid provision or application.

Section 6. Effective Date

This ordinance shall become effective thirty days after its passage.

Section 7. Publication

A summary of this ordinance shall be published once within fifteen days after its adoption, in the Fairfield Daily Republic, a newspaper of general circulation in Solano County.

Passed and adopted by the Solano County Board of Supervisors on October 22, 2013, by the following vote:

AYES: SUPERVISORS: Hannigan, Spering, Thomson, Vasquez, and Chair Seifert.

NOES: SUPERVISORS: None.

EXCUSED: SUPERVISORS: None.

Linda J. Seifert, Chair
Solano County Board of Supervisors

ATTEST:
Birgitta E. Corsello, Clerk
Board of Supervisors

By: Patricia J. Crittenden, Chief Deputy Clerk

Introduced: October 8, 2013
Adopted: October 22, 2013
Effective: November 21, 2013