

ORDINANCE CODE: ORDINANCE 2000-02
FRESNO METROPOLITAN FLOOD CONTROL DISTRICT
CHAPTER 3
INFORMAL BIDDING PROCEDURES UNDER THE
UNIFORM PUBLIC CONSTRUCTION COST ACCOUNTING ACT
(SECTION 22000, ET SEQ. OF THE PUBLIC CONTRACT CODE)

AMENDING ORDINANCE CODE 90-1, CHAPTER 3
AMENDED VERSION TO REFLECT JANUARY 1, 2019 STATUTE
SPENDING LIMITS INCREASES

3.100 Purposes.

- 3.101 The Board of Directors finds and determining that prior to the passage of Assembly Bill No. 1666, Chapter 1054 Stats. 1983, which added Chapter 2 commencing with Section 22000 to Part 3 of Division 2 of the Public Contract Code, existing law did not provide a uniform cost accounting standard for construction work performed or contracted by local public agencies; and, further determines that the competitive bidding limit of \$10,000, imposed by the Fresno Metropolitan Flood Control District Act but expanded by said AB 1666, creates procedural limitations in securing necessary work, supplies and materials required to protect the people and properties within the District.
- 3.102 It is the purpose of this Chapter to cause the implementation of the Uniform Public Construction Cost Accounting Act as to the Fresno Metropolitan Flood Control District, implementing the Uniform Cost Accounting standards established thereby and authorizing the expanded competitive and informal bidding procedures and limits permitted by said Act.

3.200 Informal Bidding Procedures.

- 3.201 Public projects, as defined by the Accounting Act, of Sixty Thousand Dollars (\$60,000) or less, which said limit may be modified from time to time by statute, may be performed by the employees of the District by force account, by negotiated contract, or by purchase order.
- 3.202 Public Projects, as defined by the Accounting Act, of Two Hundred Thousand Dollars (\$200,000) or less, which said limit may be modified from time to time by statute, may be let to contract by informal procedures as set forth in Section 22032 (et seq.) of the Public Contract Code.

3.300 Contractor's List.

A list of contractors shall be developed and maintained in accordance with provisions of Section 22034 of the Public Contract code and criteria promulgated from time to time by the California Uniform Construction Cost Accounting Commission.

3.400 Notice Inviting Informal Bids.

Where a public project is to be performed, which is subject to the provisions of Section 3.202 of this Ordinance, 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 3.300 of this Ordinance or 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, or both. Additional contractors and/or construction trade journals may be notified at the discretion of the District, provided however:

- (1) If there is no list of qualified contractors maintained by the District for the particular category of work to be performed, the notice inviting bids shall be sent 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.

The notice inviting informal bids shall describe the project in general terms, how to obtain more detailed information about the project, and state the time and place for the submission of bids.

3.500 Award of Contracts.

The General Manager of the District, and, in the absence of the General Manager, the Assistant General Manager, are authorized to award informal contracts pursuant to this Section.

If all bids received are in excess of Two Hundred Thousand Dollars (\$200,000), the Board of Directors may by passage of a resolution by a four-fifths vote, award the contract, at Two Hundred Twelve Thousand Five Hundred Dollars (\$212,500), or less, to the lowest responsible bidder, if it determines the cost estimate was reasonable.

3.600 Effective Date.

This Ordinance shall take effect and be in force thirty (30) days from the day of its passage, and before the expiration of fifteen (15) days after its passage, it or summary of it, shall be published once, with the names of the Board of Directors voting for and against the same in the Fresno Bee, a newspaper of general circulation published in the County of Fresno.

Date Adopted: June 28, 2000
Amended by Statute: July 1, 2005 (As Reported to the Board of Directors June 8, 2005)

Amended by Statute: January 1, 2012 (As reported to the Board of Directors November 14, 2012)

Amended by Statute: January 1, 2019 (As reported to the Board of Directors December 12, 2018)