

(O-94-17 COR. COPY)  
11/29/94

ORDINANCE NUMBER O- 18133 (NEW SERIES)

ADOPTED ON JAN 09 1995

AN ORDINANCE AMENDING CHAPTER II, ARTICLE 2,  
OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING  
SECTIONS 22.0226 AND 22.0504 RELATING TO  
PURCHASING PROCESS AND LIMITS.

BE IT ORDAINED, by the Council of The City of San Diego, as follows:

Section 1. That Chapter II, Article 2, of the San Diego Municipal Code be and the same is hereby amended by amending sections 22.0226 and 22.0504, to read as follows:

**SEC. 22.0226 Consultant Limitations**

In connection with the provisions of Section 28 of the Charter of The City of San Diego, the City Manager, except as otherwise provided by Charter or ordinance, shall have the power to employ experts or consultants to perform work or give advice connected with departments of the City without first seeking Council approval under the following conditions:

1. All architectural or engineering consultants who are retained to design City Council approved individual capital improvement projects, in which the cost of such employment does not exceed two hundred fifty thousand dollars (\$250,000), provided the cumulative dollar amount of the awards to that consultant during the fiscal year does

not exceed two hundred fifty thousand dollars (\$250,000).

2. All other consultants when the cost of each individual agreement for employment does not exceed two hundred fifty thousand dollars (\$250,000), provided the cumulative dollar amount for these awards to that consultant during the fiscal year does not exceed two hundred fifty thousand dollars (\$250,000).

**SEC. 22.0504 Purchase Limitations**

The Purchasing Agent shall have the power to purchase materials, supplies, equipment and insurance and, subject to the provisions of the City Charter and Section 23.1801 of this Code, to provide for contracts for personal services, as defined in this section, upon direct request by the various departments or offices of the City, without first seeking sealed proposals or Council approval, if said purchase or contract for personal services does not exceed the sum of fifty thousand dollars (\$50,000), provided that for purchases exceeding ten thousand dollars (\$10,000), requests for written price quotations are solicited from at least five potential sources. The Purchasing Agent shall seek competitive prices for all purchases and for all contracts for personal services over five thousand dollars (\$5,000), except that annual blanket purchase orders may be issued for commercially available materials and supplies which are not normally kept in City stores and which are required by City forces for immediate completion of work in progress. For purposes of this section the term "contracts

for personal services" excludes contracts for professional or expert services.

The Purchasing Agent is prohibited from subdividing any purchase or contract for personal services which should logically be made as a single transaction requiring the expenditure of more than fifty thousand dollars (\$50,000) into two or more purchases, or contracts, each involving an expenditure of less than fifty thousand dollars (\$50,000), for the purpose of avoiding compliance with the procedure elsewhere in this Code and in the City Charter provided for the making of purchases or contracts for personal services where the expenditure involved exceeds the sum of fifty thousand dollars (\$50,000).

The Purchasing Agent shall not purchase materials, supplies, equipment and insurance, nor enter into contracts for personal services requested by various departments or offices of the City, where said purchase or contract exceeds the sum of fifty thousand dollars (\$50,000) without having first advertised for sealed proposals, except in the case of bonafide emergency affecting public health or safety in which case he shall thereafter immediately report the fact to the City Council. The Purchasing Agent shall not be required to advertise for sole source procurement provided certification to this effect is approved by the City Manager.

If the cost of any purchase or any contract for personal services required by the City is in excess of one million dollars (\$1,000,000), said purchase or contract for

personal services may be made by the Purchasing Agent only after said Purchasing Agent has advertised for sealed proposals and has obtained Council approval to award the contract, except in the case of bonafide emergency affecting public health or safety in which case he shall thereafter immediately report the fact to the City Council who shall then by Resolution so note and ratify the procurement. The authority to so purchase shall be limited to \$200,000. The Purchasing Agent shall not be required to advertise for sole source procurement provided certification to this effect is approved by the City Manager.

Within the same dollar amounts as are set forth herein, the Purchasing Agent is authorized to participate in joint and cooperative purchasing and to participate in joint and cooperative contracts for personal services with the State of California, County of San Diego, school districts, water districts, and such other agencies as the Council may by resolution direct, so long as purchases above ten thousand dollars (\$10,000) are made through a competitive bidding process.

Section 2. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: JOHN W. WITT, City Attorney

By Stuart H. Swett  
Stuart H. Swett  
Senior Chief Deputy

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