

(O-95-67)

ORDINANCE NUMBER O- 18134 (NEW SERIES)

ADOPTED ON JAN 09 1995

AN ORDINANCE AMENDING CHAPTER II, ARTICLE 2,
OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING
SECTIONS 22.0209 AND 22.0211 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 22.0209 and 22.0211, to read as follows:

SEC. 22.0209 ALTERATIONS IN CONTRACTS

Whenever it becomes necessary to make alterations in contracts entered into by the City, the City Manager shall make alterations only when authorized by the Council unless such alterations meet all of the following criteria:

(a) The cost of each alteration is less than \$200,000;
and

(b) The cost of alterations does not exceed the total amount authorized for the project by ordinance or resolution; and

(c) It is the opinion of the City Manager that the alterations are necessary to fulfill the purpose of the contract; and

(d) The alterations are made by agreement in writing between the contractor and the City Manager.

**SEC. 22.0211 Public Works Contracts - Public Bidding
Required**

In the construction, reconstruction or repair of public buildings, streets, utilities and other public works when the expenditure therefore shall exceed the sum of \$50,000, the same shall be done by written contract and advertising for bids under the provisions of Section 94 of the City Charter. The City Manager may, without additional Council action, award such contracts to the lowest responsible and reliable bidder provided that at the time the Council authorizes advertising for bids the Council also authorizes the necessary expenditure of funds for the contract and authorizes the City Manager to execute the contract.

As to those public works contracts for which the expenditure shall not exceed one million dollars (\$1,000,000), the City Manager may let the same without further Council authorization for those projects previously approved and appropriated through development of the Annual Capital Improvements Program (CIP) budget.

As to those public works contracts for which the expenditure shall not exceed \$50,000, the City Manager may let the same without advertising for bids if the Purchasing Agent has secured competitive prices from contractors interested and the City Manager has taken those prices under consideration before the contract is let.

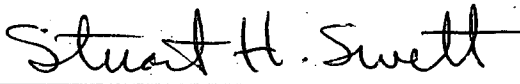
Anything to the contrary hereinabove notwithstanding, as to all landscape maintenance contracts let on behalf of the City or on behalf of Landscape Maintenance Districts,

when the expenditure therefore shall not exceed \$250,000, the City Council may let the same after advertising for bids and after the City Council has taken into consideration the prices bid before the contract is let. With regard to landscape maintenance contracts, the City Council may take into consideration other factors besides the price in determining to whom to award the contract. However, if the contractor with the low bid is not awarded the contract, the City Council shall, in its resolution, specify the reasons for which it has determined to award the contract to other than the low bidder. The Council's determination shall be final and conclusive.

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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