

ORDINANCE NUMBER O- **20443** (NEW SERIES)

DATE OF FINAL PASSAGE DEC 17 2014

AN ORDINANCE AMENDING CHAPTER 2, ARTICLE 2, OF THE SAN DIEGO MUNICIPAL CODE, BY AMENDING DIVISION 5, SECTION 22.0505; AND BY AMENDING DIVISION 32, SECTIONS 22.3203 AND 22.3206, ALL RELATING TO THE APPROVAL OF CONTRACTS FOR GOODS AND SERVICES.

WHEREAS, the San Diego Municipal Code authorizes the Purchasing Agent, head of each department, or designee to approve requisitions and purchase orders for goods under \$25,000; and

WHEREAS, the San Diego Municipal Code requires the head of each department to address requisitions for goods to the Purchasing Agent; and

WHEREAS, the City Charter and the San Diego Municipal Code require City Council approval for contracts for goods and services that exceed an estimated dollar amount; and

WHEREAS, the Purchasing and Contracting Department (Department) wishes to amend a section of the San Diego Municipal Code to allow the Purchasing Agent, head of each department, or designee to approve requisitions and purchase orders for services under \$25,000, and to clarify that requisitions for services in excess of \$25,000 must be addressed to the Purchasing Agent; and

WHEREAS, the Department seeks authority to award a contract for goods, services, or goods and services, in an amount that exceeds three million dollars (\$3,000,000) if the expenditure is approved in the Appropriation Ordinance or a properly amended appropriation ordinance; and

WHEREAS, the Department wishes to amend the San Diego Municipal Code to state that City Council approval is required for contracts exceeding \$3,000,000; NOW, THEREFORE,

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

Section 1. That Chapter 2, Article 2, Division 5, of the San Diego Municipal Code is amended by amending section 22.0505, to read as follows:

§22.0505 Requisitions

- (a) The Purchasing Agent, head of each department, or designee, may approve requisitions and approve purchase orders for goods or services required by the department in an amount not to exceed \$25,000.
- (b) Requisitions for goods or services greater than \$25,000 shall be approved by the head of such department or his or her designee and addressed to the Purchasing Agent.
- (c) through (f) [No change in text.]

Section 2. That Chapter 2, Article 2, Division 32, of the San Diego Municipal Code is amended by amending sections 22.3203 and 22.3206, to read as follows:

§22.3203 Competitive Process for Contracts for Goods and Services

Except as otherwise provided in section 22.3208, *contracts for goods* and *contracts for services* shall be awarded through a competitive process based on the estimated amount of City funds to be paid to the winning *bidder* under the contract.

- (a) through (b) [No change in text.]
- (c) Contracts greater than \$150,000 may be awarded only after the Purchasing Agent advertises for sealed bids or proposals for a minimum of one day in

the City official newspaper at least ten days before bids or proposals are due.

§22.3206 Award of Contracts for Goods and Services

(a) through (b) [No change in text.]

(c) The Purchasing Agent may award *a contract for goods* or a *contract for services* that provides for an expenditure of an amount greater than \$3,000,000 provided that:

- (1) The procurement for goods, services, or both, is identified and appropriated through the Annual Appropriation Ordinance, or the annual appropriation changed as authorized by Charter section 73; and
- (2) The Purchasing Agent advertised for sealed bids or proposals for a minimum of one day in the City official newspaper at least ten days before bids or proposals are due and the *contract for goods* or *contract for services* is awarded through a competitive process, unless the contract is not required to be competitively awarded as provided in section 22.3208.
- (3) The City Council may, by resolution, require that certain procurements identified and appropriated through the Annual Appropriation Ordinance, or the annual appropriation changed as authorized by Charter section 73, be returned to City Council for approval prior to contract award.

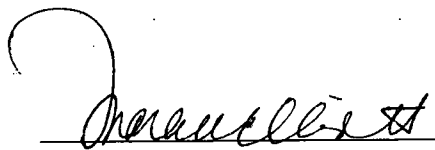
- (d) Unless otherwise provided in this Division, *contracts for goods* and *contracts for services* that exceed \$3,000,000 as awarded, amended, or extended, must be approved by the City Council.

Section 3. That a full reading of this ordinance is dispensed with prior to its passage, a written or printed copy having been made available to the City Council and the public prior to the day of its passage.

Section 4. That this ordinance shall take effect and be in force on the thirtieth day from and after its final passage.

APPROVED: JAN I. GOLDSMITH, City Attorney

By

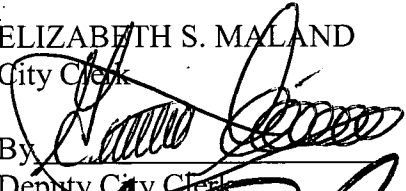


MARA W. ELLIOTT
Deputy City Attorney

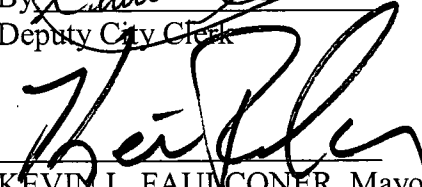
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Or.Dept:P&C
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I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of ~~DEC 09 2014~~.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 12/17/14
(date)


KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on DEC 09 2014, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Sherri Lightner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ed Harris	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Todd Gloria	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Myrtle Cole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marti Emerald	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage DEC 17 2014

AUTHENTICATED BY: KEVIN L. FAULCONER
Mayor of The City of San Diego, California.

(Seal) ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

By [Signature], Deputy

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on NOV 17 2014, and on DEC 17 2014

I FURTHER CERTIFY that said ordinance was read in full prior to passage or that such reading was dispensed with by a vote of five members of the Council, and that a written copy of the ordinance was made available to each member of the Council and the public prior to the day of its passage.

(Seal) ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

By [Signature], Deputy

Office of the City Clerk, San Diego, California

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