

52
12/09/14

(O-2014-120)

ORDINANCE NUMBER O- 20444 (NEW SERIES)

DATE OF FINAL PASSAGE DEC 17 2014

AN ORDINANCE AMENDING CHAPTER 2, ARTICLE 2,
DIVISION 30 OF THE SAN DIEGO MUNICIPAL CODE BY
ADDING SECTION 22.3020 RELATING TO ELECTRONIC
TRANSACTIONS.

WHEREAS, developments in technology and growth of the internet has made electronic advertisement and award of public contracts feasible, convenient and cost effective; and

WHEREAS, the California Electronic Transmissions Act (Cal. Civ. Code § 1633.1 *et seq.*) authorizes transactions to be conducted electronically, including the use of electronic signatures; and

WHEREAS, California Public Contract Code sections 1600 and 1601 authorize public agencies to solicit bids and award public contracts by electronic means; NOW, THEREFORE,

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

Section 1. That Chapter 2, Article 2, Division 30 of the San Diego Municipal Code is amended by adding Section 22.3020, to read as follows:

§22.3020 Electronic Transactions

- (a) The City may use electronic transmission, including electronic signatures, to send and receive bids, proposals, contracts, and other documents related to the award and administration of contracts, pursuant to regulations to be adopted by the City Manager. Such regulations shall include, but not be limited to:
- (1) A method to verify all bids, proposals, and signatures are authentic.

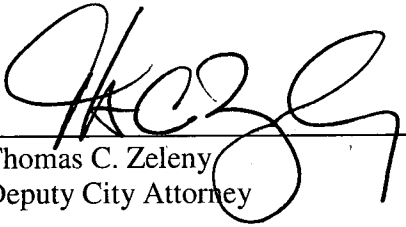
- (2) A method to ensure accurate retrieval or conversion of electronic forms of such information into a medium that permits inspection and copying.
- (b) When the City Charter or Municipal Code requires submission of sealed bids or proposals, the regulations to be adopted by the City Manager shall include, but not be limited to:
 - (1) Safeguards to ensure that no bid or proposal may be opened before the deadline established for opening.
 - (2) An electronic receipt for each *bidder* and proposer provided either by immediate electronic transmission or by access to an electronic file on the internet that confirms receipt and can be viewed and printed by the *bidder* or proposer.
- (c) Nothing in this section shall relieve the City from holding a public bid opening when required by this Division.

Section 2. 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 3. 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

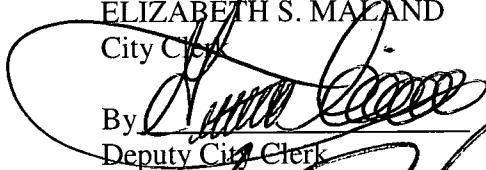


Thomas C. Zeleny
Deputy City Attorney

TCZ:mt
5/21/2014
Or.Dept:PublicWorks
Doc No. 791786

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
Ordinance Number O- **20444**