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3 ORDINANCE NO. 757.2

4 AN ORDINANCE OF BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE AMENDING  
5 RIVERSIDE COUNTY CODE TITLE 2, CHAPTER 2.92, ARTICLE 2 (§§2.92.110 – 2.92.140)  
6 AND ORDINANCE 757 TO PROVIDE INFORMAL BIDDING PROCEDURES  
7 UNDER THE UNIFORM PUBLIC CONSTRUCTION COST ACCOUNTING ACT  
8 (PUBLIC CONTRACT CODE SECTION 22000 ET SEQ.)

9 The Board of Supervisors of the County of Riverside ordains as follows:

10 Section 1. Title 2, Chapter 2.92, Article 2 of the Riverside County Code is amended in its  
11 entirety to read as follows:

12 Section 1.1 Informal Bid Procedures

13 Public Projects, as defined by the Act, of One Hundred Thousand Dollars (\$100,000) (or as  
14 modified by the Act) or less, may be let to contract by informal procedures as set forth in Section 22032 et  
15 seq. of the Public Contract Code.

16 Section 1.2 List of Qualified Contractors

17 The County Purchasing Agent shall develop and maintain a list of qualified contractors, identified  
18 according to categories of work, which qualification will be based on the minimum criteria determined by  
19 the Commission.

20 Section 1.3 Notice Inviting Bids

21 Where a Public Project is to be performed which is subject to the provisions of this Ordinance, a  
22 notice inviting informal bids shall be mailed to all construction trade journals, as specified by the  
23 California Uniform Construction Cost Accounting Commission in accordance with Section 22036 of the  
24 Public Contract Code. Additional contractors and/or construction trade journals may be notified at the  
25 discretion of the County; provided, however, that if the project or service is proprietary in nature such  
26 that it can be obtained only from a certain contractor or contractors, the notice inviting informal bids may  
27 be sent exclusively to such contractor or contractors. The mailing of all notices shall be completed not  
28 less than 10 calendar days before bids are due. The notice shall include a general description of the  
projects, where to obtain further details, and the time and place for submissions of the bids.

Section 1.4 Award of Contracts

1 The Riverside Purchasing Agent is authorized to award informal contracts pursuant to this Section.  
2 Upon request to, and approval of, the Board, a designee or designees may be appointed to award contracts  
3 in lieu of, or in addition to, the authority bested in the Director of Purchasing and Material Services  
4 Department pursuant to this Section.

5 Section 2. Ordinance 757.1, bearing the same title as this Ordinance 757.2 and adopted by the  
6 Board on July 18, 1995, is hereby repealed.

7 Section 3. This Ordinance shall take effect and be in force thirty (30) days from the date of its  
8 passage. Before the expiration of fifteen (15) days after its passage, it or a summary of it, shall be  
9 published once, with the names of the members of the Board of Supervisors voting for and against the  
10 same in the Riverside Press Enterprise, a newspaper of general circulation published in the County of  
11 Riverside.

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25 ADOPTED: 7-18-95

26 AMENDED: 757.1 (Eff.: 3-12-98)

27 AMENDED: 757.2 (Eff.: 11-04-03)

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**SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

**FROM:** Department of Facilities Management


**SUBMITTAL DATE:**  
October 27, 2003

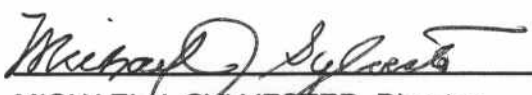
**SUBJECT:** Revision of Board Policy B-11, Award of Public Works Contracts Pertaining to County Facilities; Ordinance 757.2, Informal Bidding Procedures, and Resolution 2003-23, Delegation Authority to Order Emergency Action Pertaining to County Facilities under the California Public Contract Code

**RECOMMENDED MOTION:** That the Board of Supervisors:

1. Approve the attached proposed revision of Board Policy B-11 Award of Public Works Contracts Pertaining to County Facilities, attachment A.
2. Approve Resolution No. 2003-23, Delegation of Authority to Order Emergency Action Pertaining to County Facilities under the California Public Contract Code, attachment B.
3. Approve the attached proposed Board Ordinance 757.2 to provide informal bidding procedures under the Uniform Public Construction Cost Accounting Act.
4. Direct all County departments, agencies, special districts and authorities to comply with the revised Board Policy B-11.

**BACKGROUND:** On July 9, 2002, the Board directed staff to prepare a draft of the Board's Response to the Grand Jury's Report regarding the Riverside County Capital Improvement Program. On August 27, 2002, by Minute Order 3.6, the Board approved the Executive Office response to the Grand Jury Finding No. 1, stating Board Policy B-11 was last updated in 1993, and needed to conform to all recent additions and changes in the Public Contract Code.


  
ROBERT HOWDYSHELL, Director  
Department of Purchasing

  
MICHAEL J. SYLVESTER, Director  
Department of Facilities Management

<b>FINANCIAL DATA</b>	Current F.Y. Total Cost:	\$	In Current Year Budget: Budget Adjustment: For Fiscal Year:
	Current F.Y. Net County Cost:	\$	
	Annual Net County Cost:	\$	

<b>SOURCE OF FUNDS:</b>	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

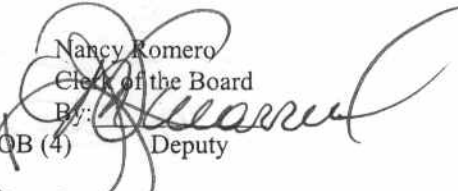
**C.E.O. RECOMMENDATION:**  
**APPROVE**

**County Executive Office Signature**  


**MINUTES OF THE BOARD OF SUPERVISORS**


On motion of Supervisor Buster, seconded by Supervisor Venable and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Buster, Venable and Ashley  
 Noes: None  
 Absent: Tavaglione and Wilson  
 Date: November 4, 2003  
 xc: Facil. Mgmt., Purchasing & Fleet, Co.Co., All Depts., CIP, COB (4)

Nancy Romero  
Clerk of the Board  
By:   
Deputy

**Prev. Agn. Ref.:** M.O. 3.6, 8/27/02 | **District:** All | **Agenda Number:**

Reviewed by  
**CIP TEAM**

FORM APPROVED  
COUNTY COUNSEL  
OCT 29 2003  
BY 

Dept Recomm.:  Policy  Policy

Per Exec. Ofc.:  Consent  Consent

**BOARD OF SUPERVISORS**

Form 11: Revision of Board Policy B-11, Award of Public Works Contracts Pertaining to County Facilities; Ordinance 757.2, Informal Bidding Procedures, and Resolution No. 2003-23, Delegation of Authority to Order Emergency Action Pertaining to County Facilities under the California Public Contract Code.

October 27, 2003

Page 2

**BACKGROUND (continued):**

The Public Contract Code Section 22000 calls for statewide uniformity of the cost accounting standards and bidding procedures on construction work performed by public entities in the state. Recent changes noted in Section 20142 provide a modification of the delegation of change order authority for contracts exceeding \$250,000, and the inclusion of language that authorizes the Board, or its delegated County officer, to proceed at once to make necessary emergency repairs to any County facility without giving notice to bids in association with the Capital Improvement Program.

The recommended revised Board Policy B-11 incorporates the Grand Jury's recommendations and has the following new language:

- States the Public Works Contract cost requiring Board approval is \$100,000. The previous version stated \$10,000 or more.
- States the Director of Facilities Management is the designated building official for County owned facilities and has the responsibility to support other County departments and agencies by administering the countywide facilities management program, which includes public facilities construction.
- Updates the Change Order section to reflect the current values of up to \$250,000. The previous version was outdated and referred to values of \$50,000 or less, \$50,000 to \$250,000.
- References new Board Resolution 2003-23, Delegation of Authority to Order Emergency Action Pertaining to County Facilities under the California Public Contract Code.

Board Resolution No. 2003-23, complies with Chapter 2.5, Emergency Contracting Procedures, of the California Public Contract Code. The Director of Facilities Management, a non-elected agency officer, will have the authority to order immediate emergency action to repair or replace a public facility, and the ability to procure the necessary equipment, services and supplies for those purposes, without giving notice for bids to let contracts by that emergency.

Board Ordinance 757.2 is modified to update dollar limits and titles.