



ORDINANCE NO. 29

AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE CAYUCOS SANITARY DISTRICT ESTABLISHING INFORMAL BIDDING PROCEDURES UNDER THE UNIFORM PUBLIC CONSTRUCTION COST ACCOUNTING ACT

BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE CAYUCOS SANITARY DISTRICT ("District") AS FOLLOWS:

Section 1: Informal Bid Procedures.

Public projects, as defined by Section 22002 of the California Uniform Public Construction Cost Accounting Act (the "Act"; Public Contract Code Sections 22000, et seq.) and in accordance with the limits listed in Public Contract Code Section 22032, may be let to contract by informal procedures as set forth in Public Contract Code Sections 22030, et seq.

Section 2: Contractors List.

A list of contractors shall be developed and maintained in accordance with the provisions of Public Contract Code Section 22034 and criteria promulgated from time to time by the California Uniform Construction Cost Accounting Commission (the "Commission").

Section 3: Notice Inviting Informal Bids.

Where a public project is to be performed which is subject to the provisions of this Ordinance, a notice inviting informal bids shall be mailed to all of the contractors for the category of work to be bid, as shown on the list developed in accordance with Section 2 above, and to all construction trade journals as specified by the Commission in accordance with Public Contract Code Section 22036. Additional contractors and/or construction trade journals may be notified at the discretion of the District, provided however:

1. If there is no list of qualified contractors maintained by the District for the particular category of work to be performed, the notice inviting bids shall be sent only to the construction trade journals specified by the Commission.
2. If the product or service is proprietary in nature such that it can be obtained only from a certain contractor or contractors, the notice inviting informal bids may be sent exclusively to such contractor or contractors.

Section 4: Award of Contracts.

The District Manager is authorized to award informal contracts pursuant to this Ordinance, and the procedures promulgated hereunder.

Section 5: Effective Date.

This Ordinance shall take effect and be in full force and effect thirty (30) days after its passage.

Section 6:

Within fifteen (15) days after passage of this Ordinance, it shall be published once, together with the names of the Directors voting thereon, in a newspaper of general circulation within the District. Additionally, this Ordinance shall be posted for one week in three (3) public places in the District.

Section 7: Severability.

If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The Board of Directors hereby declares that it would have passed this Ordinance and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of the Ordinance would be subsequently declared invalid or unconstitutional.

Introduced at a regular meeting of the Board of Directors on April 15, 2009, and passed and adopted by the Board of Directors of the Cayucos Sanitary District on the 15th day of April, 2009, by the following roll call vote:

AYES: Enns, McHale, Fones, Lyon, Foster
NOES: None
ABSENT: None
ABSTAINING: None

SIGNED: Robert B. Enns, President, Board of Directors
ATTEST: Bonnie E. Connelly, Clerk
APPROVED AS TO FORM: Timothy J. Carmel, District Legal Counsel