



The Town of Fort Jones (City Hall)  
11960 East Street  
Fort Jones, California 96032

## **The Town of Fort Jones Proposed Agenda Item for February 10<sup>th</sup> 2025 Regular Meeting**

### **Subject**

Duplex Sewage Lift Station Control Panel

### **Type of Action**

Discussion and possible action to approve funds to replace Sewer Lift Station control panel

### **Summary of the Issue(s)**

The Town's duplex sewer pump station 3-2 needs refurbishment. We recently replaced pump one with a new pump. While hooking up the new pump, it was observed that the old electrical wires were directly buried in the soil, and where it enters into the pit was corroded, with bare wires exposed. There is a total of 2 pumps inside this lift station. There is an old electrical control box that is 32 years old. There are 2 contactors inside, one of which has gone bad. Instead of trying to fix something that is past its useful life, it is better to replace it in its entirety.

### **Recommendation**

Public Works recommend that we review the quotes and choose the lowest bidder.

### **Fiscal Analysis (as appropriate)**

Included in Quotes



Diversified  
Electrical  
Service

1117 Ream Avenue  
Mount Shasta, CA. 96067

# PROPOSAL

|          |            |
|----------|------------|
| DATE     | Proposal # |
| 2/4/2025 | 5000       |

The Town of Fort Jones  
P.O. Box 40  
Fort Jones, California 96032

The Town of Fort Jones  
Everett Hullquist  
11960 East Street  
Fort Jones, CA 96032

VISIT US AND PAY ONLINE  
<http://www.diversified-electric.com>

| PROJECT               |
|-----------------------|
| Sanitary Station #3-2 |

| DESCRIPTION                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | TOTAL                    |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|
| <p>1) Demo and remove the old pump control panel, conduit, wiring and floats. None of the existing control or pump wiring is safe or hazardous location rated.</p> <p>2) Install a breaker in the meter main service panel, run conduit, pull wire, provide install and wire a new duplex pump control panel to the existing meter main sub panel.</p> <p>3) Provide and install an outdoor gutter below the pump control panes with explosion proof EYS fittings between the pump control panel and the gutter. The gutter will have terminal strips pre-wired for (2) pumps and (4) floats and the EYS fittings sealed off to prevent explosive gasses from making it into the pump control panel.</p> <p>4) Provide and install (2) 1-1/2" conduits from the gutter to the underground sanitary pump station, and grout around the conduits stubbing into the pit. One conduit for pump power cables, and one conduit for pump float controls. Each device will be simple to change in the future, due to the terminal strip in the outdoor gutter.</p> <p>5) Provide, install and wire four floats in the pit. Low level Alarm, Start, Stop, and High Level Alarm.</p> <p>6) Adjust and test each float per The Town of Fort Jones request.</p> <p>7) Replace the damaged gfci receptacle below the pump panel</p> <p>Small Business Cert # 2021552<br/>DIR # 100000063805</p> <p>All Prevailing Wage Labor, Materials, Tax and Freight included.<br/>No Permit, Engineering, Bonding, or Notary Fees included.</p> | 12675.00                 |
| <p>VISA/MASTERCARD/AMEX ACCEPTED<br/>1.5% per month finance charge may be added to any balance 30 days past due.<br/>Any Questions Call (530) 222.1321 or Fax (530) 222.7605 LIC C10 743483</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <b>TOTAL</b> \$12,675.00 |



LIC. C-10 #1123511

530-202-0932

[cbarros@ampedelectricco.com](mailto:cbarros@ampedelectricco.com)

P.O. Box 574 Fort Jones, CA 96032

**Proposal**



LIC. C-10 #1123511

530-202-0932

P.O. Box 574 Fort Jones, CA 96032

## Proposal

To: Town of Fort Jones

Attn: Public Works

Job Name: Duplex pump control panel replacement

Location: main sewer pump station

Amped Electric proposes to provide labor and materials for demo of existing panel, and new wiring for a new pump panel.

This proposal includes the following

- Demo of existing pump panel and exposed wiring
- Installation of new pump panel, termination gutter, and 4 new floats, 2 conduits coming out of the well to the gutter to protect the wiring
- Test and adjust system as needed after installation

**TOTAL PROPOSAL: \$4,776.15**

Exclusion: Trenching labor and materials, Service Fees, Surveying, Programming, Functional Spec, Mechanical Connections, Cranes, Paint and Patch, Disposal Fees.

Terms and Conditions:

- 1) All workmanship and materials are to comply with the requirements of the National Electrical Code, and the applicable local and state codes.
- 2) This Proposal is based upon a lump sum unless otherwise noted. Contractor shall bill monthly. Payment is due within 30 days of the monthly invoice. Sums not paid within the said time shall accrue interest at the rate of 1.5% per month from the date of the invoice until paid.
- 3) The contractor shall not be liable for any charges for liquidated damages resulting from delay in completion of work caused by factors beyond his/her control. Project schedule and completion to be mutually agreed upon prior to beginning work.

AMPED ELECTRIC CA C-10 #1123511

DIR-PWCR #2000007421, SB-ID 2042683

BY: Carlos Barros Title: Owner/Project Manager Date: 02/11/2025

A handwritten signature in black ink, appearing to read "Carlos", is written over a large, faint, red watermark of the AMPED ELECTRIC logo.

**AMPED**  
ELECTRIC

# SISKIYOU PLUMBING & ELECTRICAL SERVICES, INC./CA

Lic # 431882

P.O. Box 1101

Yreka, California 96097

(530) 842-4585 or text us at 530-572-5698

info@siskiyouplumbing.net



## RECIPIENT:

### City of Fort Jones

PO Box 40

Fort Jones, CA 96032

Phone: 5305983952

## SERVICE ADDRESS:

11960 East Street

Fort Jones, California 96032

## Quote #374

Sent on

Jan 16, 2025

**Total**

**\$5,450.00**

| Product/Service | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Qty. | Unit Price | Total       |
|-----------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|------------|-------------|
| Contract Amount | This bid is for the installation of a new duplex pump control system for the sewage pumping station. We will be removing the old control system and putting the new controls on the existing backboard. We will add a junction box on the backboard to bring the pump and float splices up out of the pit. We will be building and installing a new float tree to accommodate the new floats required for the duplex control system. This work will require access down into the pit to install floats. Proper equipment will be used for safety. This bid includes all necessary labor and materials to complete the job. Any additional work not previously described will be billed separately time and material. | 1    | \$5,450.00 | \$5,450.00* |
| 0000            | Duplex pump controller<br>2HP 230V Single Phase                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | 1    | \$0.00     | \$0.00      |
| 0000            | Float tree with 4 floats                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | 1    | \$0.00     | \$0.00      |
| 0000            | Junction box with splices                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | 1    | \$0.00     | \$0.00      |

\* Non-taxable

|                                               |                   |
|-----------------------------------------------|-------------------|
| <b>Subtotal</b>                               | \$5,450.00        |
| <b>California, Siskiyou County (1.0%)</b>     | \$0.00            |
| <b>California State (6.25%)</b>               | \$0.00            |
| <b>California, Yreka City District (0.5%)</b> | \$0.00            |
| <b>Total</b>                                  | <b>\$5,450.00</b> |

This quote is valid for the next 30 days, after which values may be subject to change.



**11231 North Highway 3, Fort Jones, Ca. 96032**  
**Ph.# (530) 468-2916 Fax# (530) 468-2928**  
**Ca. Lic# 851271 E-mail [srp@sisgtel.net](mailto:srp@sisgtel.net)**  
**Visit our website: [ScottRiverPump.com](http://ScottRiverPump.com)**

January 7, 2025

Everett,

The following is a proposed quote for Scott River Pump to furnish, install and test:

- A 2HP 230v 1 phase duplex pump station control panel
- 4 floats

We will supply this for \$4,217.50, tax and freight not included.

Let me know if you have any questions.

Thank you,

Wendy Smith - Owner  
Scott River Pump & Irrigation, Inc.

**Whipple Electric**

1800 Eastside Road  
Etna, CA 96027  
whippleelectric@sisqtel.net

**Estimate****ADDRESS**

City of Fort Jones  
P.O. Box 80  
Fort Jones, CA 96032

**ESTIMATE**

1054

**DATE**

02/03/2025

**P.O. NUMBER**

Lift Station Repairs

| DESCRIPTION                                                            | QTY | RATE     | AMOUNT            |
|------------------------------------------------------------------------|-----|----------|-------------------|
| Labor to remove existing Duplex panel and installing new duplex system | 1   | 800.00   | 800.00            |
| Zoller Duplex Pump Control Panel w/4 floats                            | 1   | 1,916.26 | 1,916.26          |
| TOTAL                                                                  |     |          | <b>\$2,716.26</b> |

Accepted By

Accepted Date

**TO:** Fort Jones Town Council  
**FROM:** Andrew L. Jared, Town Attorney  
**AGENDA TITLE:** **Introduction and First Reading of an Ordinance Adding Chapter 3.12 “Purchasing” to Establish Purchasing Procedures, Including Cooperative Purchasing, and Informal Bidding Procedures Pursuant to California Uniform Public Construction Cost Accounting (CUPCCA); and Finding Such Action Exempt from CEQA**  
**MEETING DATE:**

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***Recommended Action:***

Motion to

1. Waive full reading and introduce for first reading by reading of title only, an ordinance adding Chapter 3.12 to the Fort Jones Municipal Code addressing Purchasing Procedures, and
2. Finding such action exempt from the California Environmental Quality Act (CEQA).

***Discussion:*** First, staff recommends that the attached ordinance be introduced for first reading to formalize purchasing procedures by the Town of Fort Jones. (Attachment 1) This will establish purchasing procedures required under Government Code section 54202.

It will also allow for the cooperative purchasing (“piggyback”) purchasing to allow staff to utilize competitive bidding undertaken by other governmental agencies. By allowing competitive bidding efforts undertaken by other public agencies for goods requiring competitive bidding under the current municipal code, the efforts of town staff can be maximized.

This will also adopt the California Uniform Public Construction Cost Accounting Act (CUPPCA) to allow the town to perform work with in-house personnel (force account work) for projects up to \$75,000 in value for self-performed public works and maintenance work. It also expedites the informal bidding procedures for public works projects up to \$220,000 in value. These provisions will allow for projects to be completed in a timely manner because of the streamlined awards process and the reduction in paperwork related to advertising and report filing.

Such language would be codified as Chapter 3.12 in the Fort Jones Municipal Code.

## **Purchasing Ordinance**

All cities are required to adopt policies and procedures, including bidding regulations, governing purchases of supplies and equipment. (Government Code section 54202). The attached ordinance will comply with this requirement.

### **- Bidding**

The proposed ordinance does not require purchased under \$3,000 to have a bidding process. Such purchases can be purchased without any advertising or solicitation of bids. It requires that purchases between \$3,000 and \$50,000 obtain at least three bids based on a written scope of work. For purchases over \$50,000, a formal bidding procedure would be required.

### **- Award of Bid**

The proposed ordinance sets the following thresholds for purchases:

- |                                                      |                     |
|------------------------------------------------------|---------------------|
| - Department head (with Town Administrator approval) | <\$3,000            |
| - Town Administrator                                 | <\$25,000           |
| - Town Council                                       | \$25,001 - \$50,000 |
| - Town Council (with Formal bidding)                 | >\$50,000           |

During a declared emergency, the town administrator authority would rise to \$100,000.

### **- Cooperative Purchasing (“Piggyback Purchasing”)**

The proposed ordinance also allows for the Town to use the competitive bidding efforts of other agencies through a cooperative purchasing arrangement. In section 3.12.120, the town will be allowed to purchase supplies, equipment or services from suppliers who have been awarded contracts by the state or other local agencies for the purchase of supplies, equipment, and/or services under a competitive process, and that contractor extends the price to the town. One such contract facilitator, Sourcewell, offers a number of resources to expedite the procurement process.

Approving this ordinance will formalize and expedite the purchasing process for the town and provide cost savings available to agencies that use the cooperative purchasing process.

## **California Uniform Public Construction Cost Accounting Act (CUPCCA)**

CUPCCAA provides for alternative bidding procedures when an agency performs public work and maintenance work. This applies either to work performed by the town’s own staff (“force account” work) or when contracting with an outside contractor.

CUPPCA is a voluntary program available to all public entities in the State, but it applies only to those public agencies that have “opted in” to the provisions set forth by the Act using the processes outlined in the Act. The entirety of the Act is found at Public Contract Code Sections 22000-22045.

The provisions of a local ordinance adopting CUPCCA are located within the attached proposed ordinance at section 3.12.140.

A key provision of the Act is to allow for public projects of \$75,000 or less to be performed by a public agency’s force account using the public agency’s own resources, by negotiated contract, or by purchase order. Typically, a town may only self-perform such work up to \$5,000 in value.

Public projects in the amount of \$220,000 or less may use an informal bidding process if the town adopts an ordinance in compliance with the Act to govern contractor selection through informal bidding. Public projects at a cost of more than \$220,000 must use formal bidding procedures to select a contractor.

Public projects includes

- Construction, reconstruction, erection, alteration, renovation, improvement, demolition, and repair work involving any publicly owned, leased, or operated facility.
- Painting or repainting of any publicly owned, leased, or operated facility, and
- For publicly owned utility systems, the construction, erection, improvement, or repair of dams, reservoirs, powerplants, and electrical transmission lines (over 230,000 volts ).

(Pub. Contr. Code sec. 22002(c).)

Maintenance work includes routine, recurring, and usual work for the preservation or protection of any publicly owned or publicly operated facility for its intended purposes; minor repainting; resurfacing of streets and highways at less than one inch; landscape maintenance, including mowing, watering, trimming, pruning, planting, replacement of plants, and servicing of irrigation and sprinkler systems; and work performed to keep, operate, and maintain publicly owned water, power, or waste disposal systems. (Pub. Contr. Code sec. 22002(d).)

Program benefits are: increased force account limit for public agencies; simplified bidding for projects that are \$220,000 or less; reduced number of formal bids based on project size; and expedited contracting for projects under \$220,000. The town will benefit from this program as it gives more leeway in the execution of public works projects under a certain dollar amount; may speed up the award process; expedite project delivery; reduce the time, effort, and expense associated with bidding projects under \$220,000; and

simplify administration for those projects. These processes may also be applied to maintenance work.

Opting into CUPCCA will allow the town to expedite public works projects by allowing more work to be self-performed (force account; projects up to \$75,000) and by allowing informal bidding to occur on projects up to \$220,000.

Effective January 1, 2025, the thresholds under CUPCCA have recently been raised from \$60,000 and \$200,000 for force account and informal bidding to the current \$75,000 and \$220,000 levels.

**Business Analysis:** It should be noted that when a local agency elects to become subject to the CUPCCAA the entire entity is subject to the Act and no departments are exempt. Filing of the resolution to the California State Controller is the responsibility of the Finance Director but only occurs after final adoption.

**Operations Analysis:** The town will notice and maintain at least annually a list of qualified contractors and additionally notice to invite/solicit bids on projects as identified, including publication to trade journals. Informally bid projects shall include project title, cost, site location, who is taking bids/date and time due, along with owner address and phone number, architect or engineers address and phone number, a brief description of work to be done, where plans may be obtained/deposit required as well as the percentage of bid bond/percentage of performance bond/or percentage of payment bond.

**Environmental Analysis:** The adoption of this resolution and ordinance does not meet the definition of a project for the purposes of the California Environmental Quality Act, under Public Resources Code Section 21065 and CEQA Guidelines Section 15378(b)(5), because it is an administrative governmental activity which will not cause a direct or indirect physical change in the environment. The Town Council's review and adoption of informal bid procedures is not a project under CEQA Guidelines mechanisms which do not involve commitment to any specific project which may result in a potentially significant environmental impact. Thus, no environmental analysis is required at this time.

**Fiscal Impact:** Streamlined processes are expected to result in more timely completion of public projects and lessen the administrative overhead burden on procurement of contracts involving a public work. There are no fees associated with opting into the program.

Useful Links:

[https://www.sco.ca.gov/Files-ARD-Local/frequently\\_asked\\_questions\\_faq\\_-\\_uniform\\_public\\_construction\\_cost\\_accounting\\_act.pdf](https://www.sco.ca.gov/Files-ARD-Local/frequently_asked_questions_faq_-_uniform_public_construction_cost_accounting_act.pdf)

[https://www.sco.ca.gov/Files-ARD-Local/cuccac\\_manual\\_2021\\_edition.pdf](https://www.sco.ca.gov/Files-ARD-Local/cuccac_manual_2021_edition.pdf)

**Attachments:**

1. [Draft] An Ordinance of the Town Council of the Town of Fort Jones, California Adding Chapter 3.12 “Purchasing” to the Fort Jones Municipal Code; and Finding the Ordinance Not Subject to CEQA
2. [Draft] Resolution No. \_\_\_\_\_ Electing to Adopt the Uniform Public Construction Cost Accounting Act (CUPCCA) Procedures

Attachment 2

[DRAFT] RESOLUTION NO. \_\_\_\_

RESOLUTION OF TOWN COUNCIL OF THE TOWN OF FORT JONES  
ELECTING TO ADOPT THE UNIFORM PUBLIC CONSTRUCTION COST  
ACCOUNTING ACT (CUPCCA) PROCEDURES

WHEREAS, prior to the passage of Public Contract Code Sections 22000 to 22045, known as the California Uniform Public Construction Cost Accounting Act (CUPCCA) (“the Act”), existing law did not provide a uniform cost accounting standard for construction work performed or contracted by local public agencies; and,

WHEREAS, the Act establishes such a uniform cost accounting standard; and,

WHEREAS, the Commission established under the Act has developed uniform public construction cost accounting procedures for implementation by local public agencies in the performance of or in the contracting for construction of public projects; and

WHEREAS, the Town Council of the Town of Fort Jones has determined that adoption of the resolution to be of public benefit from the raised force account limit and the informal bidding procedures, as more projects are completed in a timely manner because of the streamlined awards process and the reduction in paperwork related to advertising and report filing.

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Fort Jones, Siskiyou County, California, hereby elects under Public Contract Code section 22030 to become subject to the uniform public construction cost accounting procedures set forth in the Act and to the Commission's policies and procedures manual and cost accounting review procedures, as they may each from time to time be amended, and directs that the Finance Director notify the State Controller forthwith of this election.

PASSED, APPROVED AND ADOPTED by the Town Council of the Town of Fort Jones in a meeting thereof held on March \_\_, 2025, by the following:

VOTE

Ayes:

Nays:

Absent:

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Madeline DeAndreis, Mayor, Town of Fort Jones

ATTEST

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Jessie Monday, Town Clerk, Town of Fort Jones

## Attachment 1

[DRAFT] ORDINANCE NO. \_\_\_\_

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF  
FORT JONES, CALIFORNIA ADDING CHAPTER 3.12  
“PURCHASING” TO THE FORT JONES MUNICIPAL CODE;  
AND FINDING THE ORDINANCE NOT SUBJECT TO CEQA**

WHEREAS, Government Code section 54201 et seq., authorizes the Town Council to adopt policies and procedures governing Town purchases of supplies and equipment by ordinance;

WHEREAS, amendments to Title 3 “Revenue and Finance” of the Fort Jones Municipal Code are necessary to remain in compliance with updated federal procurement requirements and address consistency with financial policies;

WHEREAS, the Town Council finds it necessary and desirable to add Chapter 3.12 (Purchasing) to Title 3 (Revenue and Finance) of the Fort Jones Municipal Code

WHEREAS, the Town Council has by Resolution \_\_\_\_ adopted on March \_\_\_\_, 2025, elected to become subject to the uniform construction cost accounting procedures promulgated by the State Controller pursuant to the California Uniform Public Construction Cost Accounting Act, (“Act”), (Public Contract Code (“PCC”) § 22000 et seq.);

WHEREAS, Public Contract Code Section §22034 requires that public agencies who elect to be subject to the Act adopt an ordinance establishing informal bidding procedures for public projects and sets forth the requirements of said informal bidding ordinance;

WHEREAS, the Town Administrator recommends this Ordinance to meet the requirements of said informal bidding procedures.

NOW, THEREFORE, the Town Council of the Town of Fort Jones does ordain as follows:

**SECTION 1. RECITALS:** The foregoing recitals are true and correct and incorporated into the findings herein.

**SECTION 2: CODE ADOPTION:** Chapter 3.12 (Purchasing) of Title 3 (Revenue and Finance) of the Fort Jones Municipal Code is hereby added as set forth in **Exhibit “A”** attached to this Ordinance and incorporated herein by reference.

**SECTION 3. CEQA:** The Ordinance is not a Project within the meaning of the California Environmental Quality Act (CEQA) (Public Resources Code section 21000, et seq.) pursuant to CEQA Guidelines (California Code of Regulations, Title 14, section 15000, et seq.) section 15061(b)(3). This Ordinance involves updates and revisions to existing regulations. It can be seen with certainty that the proposed Municipal Code text amendments will have no significant effect on the environment.

**SECTION 4. SEVERABILITY:** If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the final decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The Town Council declares that it would have adopted this Ordinance, and each section, subsection, sentence, clause, phrase or portion thereof, irrespective of the fact that

any one or more sections, subsections, phrases or portions might be declared invalid or unconstitutional, and, to that end, the provisions hereof are hereby declared to be severable.

SECTION 5. SUMMARY: Upon request of the Town Administrator or Town Clerk, the Town Attorney may prepare a summary of this Ordinance for the purposes of publication.

SECTION 6. EFFECTIVE DATE: This Ordinance shall take effect and be enforced within thirty (30) days from and after the date of its adoption by the Town Council at a second reading and shall be posted and published in accordance with the California Government Code.

SECTION 7. CERTIFICATION: The Town Clerk shall certify to the passage and adoption of this Ordinance and shall give notice of its adoption as required by law. This Ordinance, or a summary thereof, shall be published and/or posted in compliance with the requirements of Government Code section 36933.

I HEREBY CERTIFY the foregoing Ordinance was introduced for first reading at a regular meeting of the Town Council of the Town of Fort Jones held on the \_\_\_\_ day of February 2025, and thereafter adopted at a regular meeting of said Council held on the \_\_\_\_ day of \_\_\_\_\_ 2025, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ATTEST:

\_\_\_\_\_  
Mayor, Town of Fort Jones

\_\_\_\_\_  
Town Clerk, Town of Fort Jones

## **EXHIBIT A**

### **Sections:**

- 3.124.010 Purpose.
- 3.12.020 Definitions.
- 3.12.030 Powers and duties.
- 3.12.040 Purchasing guidelines.
- 3.12.050 Purchase agreements.
- 3.12.060 Award of contracts to businesses located in the town.
- 3.12.070 Informal bid procedure.
- 3.12.080 Formal bid procedure.
- 3.12.090 Sole-source purchasing.
- 3.12.100 Sole-source purchases from businesses within the town.
- 3.12.110 Emergency purchases.
- 3.12.120 Exemptions from bidding procedure.
- 3.12.130 Disposition of surplus personal property.
- 3.12.140 Uniform Construction Cost Accounting Procedures

### **3.12.010 Purpose.**

- A. This chapter is adopted pursuant to Government Code section 54201 et seq. to provide guidance and direction regarding the procurement of supplies, equipment, and services; to ensure that the town and its departments will receive high quality goods and services at minimum cost to the taxpayer; to exercise positive financial control over purchases; to clearly define the authority for all purchases; and to limit the administrative demands imposed by the purchasing system to those reasonably necessary to achieve the other objectives of that system.
- B. The policies and procedures contained in this chapter are not intended to conflict with Public Contracts Code section 20160 et seq., Public Contracts Code section 22030 et seq., or any other applicable law governing the solicitation of bids and award of contracts for public works projects requiring the expenditure of five thousand dollars (\$5,000.00) or more.

### **3.12.020 Definitions.**

Unless otherwise indicated, the following definitions shall apply to this chapter.

“Town administrator” means the town administrator of the town of Fort Jones or his or her designee.

“Town clerk” means the town clerk of the town of Fort Jones, or such other officer to whom the duties and responsibilities of the town treasurer have been transferred, or his or her designee.

“Department head” means a person designated by the town administrator and/or the town council to be responsible for the management of a department of the town or his or her designee.

“Emergency” means an emergency as defined by Section 2.16.020 of this code.

“Equipment” means items that are durable, have a fixed life expectancy and are shown in the town’s books as fixed assets.

“General services” means all services other than professional services and services pursuant to a public works contract excluded from this chapter by Section 3.12.010(B).

“Local business” means an individual, business, partnership or corporation that meets all of the following: (1) maintains a place of business located within the town of Fort Jones; (2) has a current town of Fort Jones business license; (3) reports to the state sales tax returns for goods purchased at its business located within the boundaries of the town of Fort Jones which regularly maintains a place of business and an inventory of merchandise for sale within the sphere of influence of the town; (4) has any necessary licenses, certificates, bonds and insurances; and (5) is in good financial and legal standing with the Town.

“Market value” means the value estimated by the purchasing officer at which the surplus personal property would sell if offered at auction or other open competitive bid sale.

“Professional services” means those services governed by Government Code section 4525 et seq., including architectural, landscape architectural, engineering, environmental, and land surveying services.

“Professional service agreement” means a written contract for professional services entered into as provided in this chapter.

“Purchase” means the renting, leasing, purchasing, licensing or trade of supplies or equipment or the hiring of private contractors.

“Purchasing officer” means the town administrator or his or her designee.

“Purchase order” means a form approved by the purchasing officer for the purchase of supplies, material, and/or equipment, but not professional services.

“Supplies” means office supplies, janitorial supplies, material, goods, tools, or other commodities used in the general conduct of the town’s business that do not constitute equipment.

“Surplus personal property” means any personal property or equipment owned by the town of Fort Jones which the purchasing officer determines, subject to approval of the town administrator or the town council as required by Section 3.12.130, is no longer needed or used for town purposes or which has become obsolete, worn out or past its useful life.

### **3.12.030 Powers and duties.**

#### **A. Department heads:**

1. Shall have the power to:
  - a. Negotiate and recommend to the town council contracts for the purchase of supplies, equipment, and/or services on behalf of their respective departments.
  - b. Approve purchase orders and professional service agreements for the benefit of their respective departments for amounts up to three thousand dollars (\$3,000.00), with consent and approval by the town administrator.
  - c. Execute contracts for the purchase of supplies, equipment and/or services for the benefit of their respective departments in accordance with the policies and procedures prescribed by this chapter.
  - d. Increase the time for performance or the not-to-exceed amounts prescribed by professional service agreements for which they are responsible by up to ten (10) percent of the original agreement amount if they reasonably conclude that doing so will result in cost and/or time savings to the town.
2. Are under the duty to:
  - a. Identify the type and quantity of supplies, equipment, and/or services required to fulfill the responsibilities of their respective departments.
  - b. Engage in an informal bidding process under section 3.12.070 of this chapter for items expected to cost more than three thousand dollars (\$3,000.00) and less than or equal to fifty thousand dollars (\$50,000.00), or a formal bidding process under section 3.12.080 of this chapter for items expected to cost more than fifty thousand (\$50,000.00).

It is not permissible to split or separate purchases into smaller amounts to evade the requirements of this chapter.
  - c. Maintain records of all submitted bids for the procurement of supplies, equipment, and/or services as required by the town's approved document-retention schedule.
  - d. Determine whether the required items or services are budgeted or the town council has otherwise authorized their purchase.
  - e. Secure necessary authorization prior to the commencement of work or delivery of supplies and equipment by preparing a purchase order or professional service agreement and ensuring that it is approved as prescribed by this chapter.
  - f. Supervise the inspection of supplies or equipment purchased to ensure that the items conform to the quality expectations of the town.

- g. Monitor the work of contractors to ensure adherence to the terms and conditions of professional service agreements.
- h. Provide coded and approved invoices to the finance department for payment in a timely fashion.

B. The purchasing officer:

- 1. Shall have the power to:
  - a. Negotiate contracts for the purchase of supplies, equipment, and/or services on behalf of the town.
  - b. Approve purchase orders and professional service agreements on behalf of the town in amounts up to twenty-five thousand dollars (\$25,000.00).
  - c. Execute contracts for the purchase of supplies, equipment and/or services on behalf of the town in accordance with this chapter.
- 2. Is under the duty to:
  - a. Enforce this chapter.
  - b. Recommend the transfer or exchange of surplus supplies and equipment between departments as needed, and recommend the sale of all supplies and equipment which have become obsolete, useless, or otherwise unsuitable for use by the town.

C. The town administrator:

- 1. Shall have the power to:
  - a. Approve purchase orders and professional service agreements on behalf of the town for amounts up to twenty-five thousand dollars (\$25,000.00), or up to one hundred thousand dollars (\$100,000.00) during a state of emergency declared pursuant to Chapter 2.16 of this code.
  - b. Perform any or all the duties of a department head or the purchasing officer.
- 2. Is under the duty to:
  - a. Ensure that the process for purchasing supplies, equipment, and services meets the needs of the community and the town.
  - b. Recommend to the town council revisions and amendments to this chapter to achieve its purposes.

D. The finance director shall have the power to:

1. Review and process payment to vendors after receiving properly coded and approved invoices.
  2. Prepare the warrant/check register and submit to the town clerk for vendor payment issuance.
  3. Delay processing payments to vendors if an agreement is void or if insufficient budgetary appropriation is available. Purchase orders and professional service agreements are void if any of the following is true:
    - a. The term of the agreement has expired;
    - b. The not-to-exceed amount specified by the agreement has been exceeded;  
or,
    - c. The services performed are other than specified in the agreement.
- E. The town clerk shall have the power to issue payment to vendors after receiving an approved warrant/check register from the finance director.

### **3.12.040 Purchasing guidelines.**

- A. Purchases of supplies, equipment, or services for amounts equal to three thousand dollars (\$3,000.00) or less do not require a bidding process and may be approved by a department head, with consent and approval by the town administrator. Purchases in this range do not require a purchase order or a professional service agreement unless otherwise required by the vendor.
- B. Purchases of supplies, equipment, or services for amounts greater than three thousand dollars (\$3,000.00) but less than or equal to twenty-five thousand dollars (\$25,000.00) are subject to the informal bidding process set forth in Section 3.12.070. Purchases in this range require that a purchase order or a professional service agreement be prepared and approved by a department head and by the purchasing officer or town administrator.
- C. Purchases of supplies, equipment, or services for amounts greater than twenty-five thousand dollars (\$25,000.00) but less than or equal to fifty thousand dollars (\$50,000.00) must meet the requirements of the informal bidding process set forth in Section 3.12.070. Purchases in this range require that a purchase order or a professional service agreement be prepared and approved by the department head, the town administrator, and town council.
- D. Purchases of supplies, equipment, or services for amounts greater than fifty thousand dollars (\$50,000.00) must meet the requirements of the formal bidding process set forth in Section 3.12.080. Purchases in this range require that a purchase order or a professional service agreement be prepared and approved by the department head, the town administrator, and council.

- E. During a declared state of emergency, purchases of supplies, equipment, or services for any amount do not require a bidding process. Purchases less than or equal to one hundred thousand dollars (\$100,000.00) require the approval of the town administrator. Purchases greater than one hundred thousand dollars (\$100,000.00) require the approval of the town council.
- F. Purchases of supplies, equipment, or services made with federal grant funds are exempt from the purchasing guidelines established by this Chapter 3.12 and are governed by a separate policy adopted by resolution of the town council, as may be amended from time to time.
- G. All purchase agreements over \$3,000 shall be reviewed by the town attorney.
- H. Unless otherwise provided herein, award of purchases shall be made by the town council in open session of a council meeting.

**Purchase Order and Professional Service Agreement Requirement Matrix**

| <b>Contract Amount</b>                          | <b>Purchase Order</b> | <b>Professional Services Agreement</b> | <b>Bidding Process</b> | <b>Authorization Required</b>                                                |
|-------------------------------------------------|-----------------------|----------------------------------------|------------------------|------------------------------------------------------------------------------|
| \$3,000.00 or less                              | Not required          | Not required                           | None                   | Department head only, with approval and consent of town administrator        |
| \$3,000.01–\$25,000.00                          | Required              | Required                               | Informal               | Department head and either (i) purchasing officer or (ii) town administrator |
| \$25,000.01–\$50,000.00                         | Required              | Required                               | Informal               | Department head, town administrator, and town council                        |
| \$50,000.01 or more                             | Required              | Required                               | Formal                 | Department head, town administrator, and town council                        |
| Any amount during a declared state of emergency | Not required          | Not required                           | None                   | Town administrator (up to \$100,000.00) or town council (above \$100,000.00) |

NOTE: The above matrix is intended to summarize the requirements of this chapter and not to change them. If the matrix contradicts the text of this chapter in any respect, the language of the chapter will prevail.

### **3.12.050 Purchase agreements.**

- A. Professional service agreement (PSA):

1. Professional service agreements are used to purchase professional services as defined in Section 3.12.020.
2. All purchases of professional services over three thousand dollars (\$3,000.00) require the completion of a PSA on the town's standard form, except during times of a declared state of emergency. Deviations from the town's standard professional service agreement must be approved by the purchasing officer or the town administrator.
3. The town shall secure professional services based upon demonstrated competence, professional qualifications, and suitability for the project in general and needs to comply with either the informal or formal bid procedures set forth in Sections 3.12.070 or 3.12.080 respectively if the value of the agreement exceeds three thousand dollars (\$3,000.00). The town should also consider the cost of the professional service, and in the event that a vendor is selected that does not offer the lowest price, a rationale must be provided to and approved by the town administrator prior to final selection being made.
4. Authority to approve a professional service agreement shall be as specified in Section 3.12.040.
5. Authority to modify a professional service agreement shall be as specified in Section 3.12.040 based on the total not-to-exceed value of the agreement, including any proposed increase in the not-to-exceed value.

**B. Purchase order (PO):**

1. Purchase orders are used to purchase supplies, material, and/or equipment having a cost greater than three thousand dollars (\$3,000.00). They are not to be used to secure professional services.
2. Authority to approve a purchase order shall be as specified in Section 3.12.040.
3. Authority to modify a purchase order shall be as specified in Section 3.12.040 based on the total not-to-exceed value of the purchase order, including any proposed increase in the not-to-exceed value.
4. All procurement using a PO require the completion of a purchase order on the town's standard form, except during times of a declared state of emergency. Deviations from the town's standard purchase order must be approved by the purchasing officer or the town administrator.

**3.12.060 Award of contracts to businesses located in the town.**

- A. In establishing a preference to local businesses in the award of contracts for supplies, equipment or services under this chapter, the town council finds that local businesses are disadvantaged in comparison to business located outside the town, particularly due to

longer commutes for the delivery of goods and services and the high gas prices which increase the cost of goods and services delivered to and from the town limits. The town council also finds that awarding contracts to local businesses results in financial advantages to the town.

- B. Town personnel are directed to use their best efforts to purchase supplies, equipment, and services from local businesses whenever possible and consistent with the terms of this policy.
- C. All informal and formal bids are to be evaluated with a five percent (5%) preference for local businesses. A bid or proposal received from a local business will be tabulated as if it were five percent (5%) lower than the figure actually set forth in the bid or proposal. The local business must claim the local business preference to be considered.
- D. To qualify as a local business, the business shall submit with its bid or proposal, or have on file with the town clerk, an affidavit that demonstrates its eligibility as a local business, including but not limited to the following: the business has a facility with an address within the town and the business will attribute any sales tax from sales to the town of Fort Jones.

#### **3.12.070 Informal bid procedure.**

When the informal bid procedure is required, purchases shall be made in compliance with the following:

- A. The town shall specifically identify the goods and/or services it wishes to purchase and determine the estimated cost of the good and/or service from at least three different providers whenever possible.
- B. Informal bids received must be documented in writing and retained by the department head as required by the approved document retention schedule.
- C. Unless otherwise provided by any existing law, rule, regulation, or policy, the purchase of supplies, equipment and non-professional services shall be awarded to the provider with the lowest responsive estimated cost.

#### **3.12.080 Formal bid procedure.**

When the formal bid procedure is required, purchases shall be made following compliance with the following:

- A. Notice Inviting Bids. Notices inviting sealed bids shall include: 1) a general description of the articles and/or services to be purchased, 2) where bid forms and specifications may be obtained, 3) the date, time and place for the bidders' conference, if any, and for the submission of sealed bids, and 4) any other information which the department head conducting the procurement deems useful.

B. Published Notice. Notice inviting bids shall be published at least once in a newspaper of general circulation published in the town at least five days before the date of opening of the bids, or if there is no such newspaper, posted in at least three public places in the town designated by the town clerk for posting public notices at least five days before the date of opening of the bids.

C. Bidder's Security:

1. When deemed necessary or appropriate, as with public works projects, the purchasing officer may require a bidding vendor to submit a bid security in any of the following forms:
  - a. Cash;
  - b. A cashier's check made payable to the town;
  - c. A certified check made payable to the town;
  - d. A bidder's bond executed by a surety insurer admitted to do business in California, made payable to the town.
2. Any requirement for bid security must be included in the public notice inviting bids.
3. The security shall be in an amount equal to at least ten (10) percent of the bid amount.
4. A vendor shall forfeit its bid security upon its refusal or failure to perform pursuant to the terms of its contract with the town within twenty (20) days after notice of award of contract or such lesser period specified in the notice inviting bids.

D. Failure to Perform:

1. Upon refusal or failure of the lowest successful bidder to execute or perform the contract pursuant to its terms, the officer or agency of the town authorized to award the contract may award it to the next lowest responsible bidder.
2. If the officer or agency of the town authorized to award the contract awards the contract to the next lowest bidder, the amount of the lowest bidder's security shall be applied by the town to the difference between the low bid and the second lowest bid, and the surplus, if any, shall be returned to the lowest bidder.

E. Bid Opening Procedure:

1. Sealed bids shall be submitted to the office of the town clerk and shall be identified as "Submitted Bid" on the envelope.
2. Bids shall be opened at the time and place stated in the notice inviting bids.

3. A record of all bids submitted to the town shall be subject to public inspection at the office of the town clerk during regular business hours for at least ten (10) calendar days after the bids are opened.
- F. Rejection of Bids. The officer or agency of the town authorized to award the contract may reject any and all bids and require the purchasing officer or department head to rebid the purchase.
  - G. Award of Contracts. The officer or agency of the town authorized by Section 3.12.040 of this code to do so shall award contracts.
  - H. Tie Bids. If two or more bids are submitted in the same total amount or unit price, quality and service being equal, and if the public interest will not permit the delay of re-advertising for bids, the officer or agency of the town authorized to award the contract may accept either bid.
  - I. No Bids Received. If no bids are received following compliance with the requirements of this section, the officer or agency of the town authorized to award the contract may procure the requested supplies, equipment, or services without further compliance with this chapter.
  - J. Performance Bonds:
    1. The purchasing officer may require a performance bond in such amount as may be reasonably necessary to ensure performance before entering into any contract.
    2. If a performance bond is required, the form and amount of the bond shall be described in the notice inviting bids.

### **3.12.090 Sole-source purchasing.**

- A. Prior to submitting a purchase request, the requesting department shall conduct a survey of available sources to determine whether there is only one source capable of competently and efficiently providing the required supplies, equipment or service.
- B. If it is determined that there is only a single source for the purchasing of a particular item or service, the requesting department shall prepare a waiver of bid and submit it to the purchasing officer.
- C. If it is determined that there is only a single source for the purchasing of a particular item or service, upon review and approval of the request by the purchasing officer and the town administrator, the contract may be awarded to the sole source vendor without competition. In this case, the purchasing officer or authorized designee shall conduct negotiations, as appropriate, as to price, delivery, and terms.

### **3.12.100 Reserved.**

### **3.12.110 Emergency purchases.**

- A. The town administrator shall make, or authorize others to make, emergency purchases of supplies, equipment or services during a declared state of emergency for amounts less than or equal to one hundred thousand dollars (\$100,000.00); provided that such emergency purchases shall be made with such competition as is practicable under the circumstances. Purchases for amounts greater than one hundred thousand dollars (\$100,000.00) must be approved by the town council.
- B. When making an emergency purchase, the requesting department shall complete a waiver of bid form and submit it to the purchasing officer.

### **3.12.120 Exemptions from bidding procedure.**

- A. Purchases of three thousand dollars (\$3,000.00) or less.
- B. Sole-source purchases in accordance with Section 3.04.090 of this code.
- C. Emergency purchases in accordance with Section 3.04.110 of this code.
- D. Intergovernmental orders by which the town has contracted with another governmental entity to purchase particular supplies, equipment or services on a cooperative basis or where the town contracts with suppliers who have been awarded contracts by the state or other local agencies for the purchase of supplies, equipment, and/or services under a competitive process and are able to have the bid prices they received extended to the town.
- E. Purchases of professional services in accordance with Section 3.04.050 of this code.
- F. Purchases of supplies, equipment, or services made with federal grant funds which are governed by a separate policy adopted by resolution of the town council, as may be amended from time to time.

### **3.12.130 Disposition of surplus personal property.**

- A. Prior to disposal, a list of surplus personal property specifying the item, its actual or estimated purchase price, date of purchase, and estimated market value shall be submitted to the town council for approval as to its "surplus" status. Surplus personal property of the town shall be disposed of on annual or semi-annual basis, in the following manner:
  - 1. The town administrator may authorize the sale or disposition of surplus personal property which has a market value equal to or less than his or her contracting authority under Section 3.04.040.

2. The town council may authorize the sale or disposition of surplus personal property which has a market value in excess of the town administrator's contracting authority under Section 3.04.040.
3. Any surplus personal property within his or her contracting authority may be sold or disposed of by the town administrator as follows:
  - a. Surplus property with an estimated market value of less than one hundred dollars (\$100.00) may be disposed of by the department head, upon written approval of the town administrator, in the manner most advantageous to the town considering the value of the property and the cost of sale, including, but not limited to, sale by salvage, recycling or disposal.
  - b. Surplus personal property with an estimated market value of more than one hundred dollars (\$100.00) but less than or equal to five thousand dollars (\$5,000.00) per individual item of property may be sold or disposed of by any method the town administrator determines to be most advantageous to the town considering the value and nature of the property and the cost of sale, including, but not limited to, sale by salvage, recycling or disposal.
  - c. Surplus personal property with an estimated market value of greater than five thousand dollars (\$5,000.00) per individual item of property shall be sold under sealed bid or by public auction. Public auctions may include electronic bidding or auction services.
  - d. Disposition of surplus personal property pursuant to this section shall be "as is" without warranty, express or implied, and the buyer shall agree to pay applicable sales or transfer taxes.
  - e. Notwithstanding other provisions in this section, surplus personal property may be sold to another public entity for market value or traded for market value equivalent property or services as approved by the town administrator.
  - f. Notwithstanding other provisions in this section, surplus personal property of any value may be traded in as consideration toward the acquisition of other personal property upon written approval of the town administrator.
  - g. Notwithstanding other provisions in this section, surplus personal property of any value may be transferred to other town departments without consideration as approved by the town administrator.
4. Surplus personal property which the town administrator deems unacceptable for sale to the public may be disposed of in the manner deemed appropriate by the town administrator. Examples of such property include: town-owned animals, law enforcement equipment and property which may pose a hazard to the general public.

- B. The town council may, by resolution, authorize the donation of surplus personal property, if the town council finds that such donation serves a public purpose or benefit. All donations pursuant to this section shall be “as is” without warranty, express or implied, and the transferee shall agree to defend, indemnify and hold harmless the town, its officers and employees from any claim, cause of action, damage, loss or liability arising out of the condition of the property or its use by the organization or subsequent transferee.
- C. In cases where a sealed bid or public auction is required for the sale of surplus personal property, reasonable notice to prospective bidders of such sale by sealed bid or public auction shall be given, as determined by the purchasing officer, taking into account the circumstances and the item or items to be sold.
- D. Any department disposing of surplus personal property shall document the disposition and provide, in writing, to the finance director or his or her designee, who shall keep a record of sales, exchanges or other disposition of any property disposed of pursuant to the provisions of this chapter, at least the following information:
  - 1. A description of the property transferred;
  - 2. The name of the transferee;
  - 3. The date of transfer;
  - 4. The gross receipts, net receipts and/or transaction costs; and
  - 5. A description, including the value of any personal property received in exchange for the property transferred.
- E. Such records shall be kept consistent with the town’s records retention policy.

#### **3.12.140 Uniform Construction Cost Accounting Procedures**

- A. Purpose. The purpose of this chapter is to establish regulations for public projects and maintenance work in accordance with the requirements of the California Uniform Public Construction Cost Accounting Act (Public Contracts Code section 22000 et seq.). This chapter shall also apply to maintenance work in accordance with Public Contracts Code section 22003.
- B. Definitions. The following words, terms and phrases shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:
  - a. "Act" means the California Uniform Public Construction Cost Accounting Act, Public Contract Code section 22000 et seq.
  - b. "Facility" has the meaning set forth in Public Contract Code section 22002.
  - c. "Maintenance work" has the meaning set forth in Public Contract Code section 22002.
  - d. "Project" includes public projects and maintenance work, as defined by this chapter.
  - e. "Public project" has the meaning set forth in Public Contract Code Section 22002.

C. General provisions.

- a. Whenever any reference is made to any other ordinance or law, such reference shall be deemed to include all future amendments and successor statutes or ordinances thereto.
- b. The dollar limits set forth in this Chapter shall adjust without council action as necessary to comply with amendments to the Act and any procedures adopted by the state controller.
- c. Plans, specifications, and/or working details adopted by the Town for any public project are public records, subject to examination upon request.

D. Contracts for public projects and maintenance work.

- a. Public projects and maintenance work for \$75,000 or less.
  - i. The town administrator is authorized to award a contract for public projects and/or maintenance work if the lowest bid received is seventy-five thousand dollars (\$75,000.00) or less.
  - ii. Public projects and/or maintenance of seventy-five thousand dollars (\$75,000.00) or less to be may be performed by town employees , by negotiated contract, or by purchase order without competitive bidding.
- b. Public projects and maintenance work for \$75,000 or more, but less than or equal to \$220,000.
  - i. Bid specifications shall be prepared and notices inviting bids shall be solicited as set forth in section 3.12.140.E of this chapter.
  - ii. The town administrator is authorized to award a contract for public projects and/or maintenance work if the lowest bid received is seventy-five thousand dollars (\$75,000.00) or more, but less than or equal to two hundred thousand dollars (\$220,000).
  - iii. If all bids received are in excess of two hundred twenty thousand dollars (\$220,000), the town council may adopt a resolution by a four-fifths (4/5) vote to award the contract at two hundred thirty-five thousand dollars (\$235,000) or less to the lowest responsible bidder, if the town council determines the cost estimate of the town was reasonable. Where town council does not adopt a resolution in accordance with the provisions of this subsection, the project shall be rebid.
- c. Public projects and maintenance work for more than \$220,000.
  - i. Public project and maintenance work of more than two hundred twenty thousand dollars (\$220,000) shall be approved by the Town Council.
  - ii. The town council shall adopt plans, specifications, and working details for all public projects up to two hundred twenty thousand dollars (\$220,000).
  - iii. Public projects and/or maintenance work of more than two hundred twenty thousand dollars (\$220,000.00) shall require competitive written bidding. A notice inviting bids shall be published and sent in compliance with the provisions of Public Contract Code section 22037. In addition, bid plans and working details shall be adopted by the town council for all public projects exceeding two hundred twenty thousand dollars (\$220,000.00).

E. Informal bidding procedures.

Public projects and maintenance of \$220,000 or less may be let to contract by informal procedures as set forth in the Act, including the following procedures:

- a. Contractors list. The town shall comply with the requirements of Public Contract Code Section 22034 regarding maintaining a list of qualified contractors identified according to categories of work.
- b. Notice inviting informal bids.
  - i. Circulation. Where a public project or maintenance work is to be performed which is subject to the provisions of this section, a notice inviting informal bids shall be circulated using one or both of the following alternatives:
    - 1. Notices inviting informal bids may be mailed or emailed to all contractors for the category of work to be bid, as shown on the list developed in accordance with subsection (a) above.
    - 2. Notices inviting informal bids may be mailed or emailed to all construction trade journals as specified by the California Uniform Construction Cost Accounting Commission in accordance with Section 22036 of the Public Contract Code. Additional contractors and/or construction trade journals may be notified at the discretion of the Public Works Director or their designee.
  - ii. Proprietary products and services. Notwithstanding the foregoing requirements, 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.
  - iii. Mailing. All mailing of notices to contractors and Construction trade journals pursuant to this section shall be completed at least ten (10) calendar days before bids are due.
  - iv. Contents. The notice inviting informal bids shall describe the project in general terms and how to obtain more detailed information about the project, and state the time and place for the submission of bids.
- c. Rejection of bids; bid irregularities. The town administrator may, in their sole discretion, reject any or all bids presented and waive any minor irregularity or informality in such bids.
- d. Award of contract. The town administrator is authorized to award and execute contracts informally bid in accordance with this section, provided that the expenditure is within the approved budget and the contract is in a form approved by the town attorney. Such contracts shall be awarded to the lowest responsible bidder.
- e. Tie bids; no bids received. If two or more bids are the same and the lowest, the town administrator may accept the one he or she chooses. If no bids are received through the informal procedures set forth in this section, the project may be performed by town employees, by force account or negotiated contract without further complying with this section.
- f. Acceptance of work. Upon the completion of work pursuant to a contract awarded pursuant to this section, the town administrator may accept the work and may authorize the filing of the notice of completion, the release of funds retained upon such filing, and the release of any bonds upon the conclusion of their respective warranty periods.
- g. Performance bonds. The town administrator may require a performance bond before entering a contract awarded pursuant to this section in such amount as the public services director or their designee finds reasonably necessary to protect the best interests of the town. If the town requires a performance bond, the form and amount of the bond shall be described in the notice inviting bids.

