

Attachment 1

Exhibit “A”

City of Perris, California

Chapter 3.32 – Purchasing System

Table of Contents

Pages 3-7

- 3.32.000 – Purchasing System Adopted
- 3.32.005 – Purchasing System Objectives
- 3.32.010 – Purchasing Officer
- 3.32.015 – Purchasing System Organization
- 3.32.020 – Purchasing System Overview
- 3.32.025 – Ethical Standards of Conduct Overview
- 3.32.030 – Standards of Conduct
- 3.32.035 – Prohibited Practices
- 3.32.040 – Responsibility
- 3.32.045 – Exemptions
- 3.32.050 – Surplus Supplies and Equipment

Pages 4-12

- 3.32.100 – General Policy and Requirements
- 3.32.110 – Delegation of Responsibility
- 3.32.115 – Delegation of Contracting Authority
- 3.32.120 – City Attorney Contract Review
- 3.32.125 – Decentralized Purchasing System
- 3.32.130 – Exemptions from Decentralized Purchasing
- 3.32.135 – Bidders and Vendors Lists
- 3.32.140 – Local preference
- 3.32.145 – Multi-year contracts
- 3.32.150 – Encumbrance of Funds
- 3.32.155 – Budget Adjustments
- 3.32.160 – Unlawful Purchases or Contracts
- 3.32.165 – Record keeping

Pages 13-36

- 3.32.200 – Purchasing Guidelines
- 3.32.210 – Contracting Procedures and Authorization Limits
- 3.32.220 – General Purchases of Goods or Services
- 3.32.230 – Professional Services
- 3.32.240 – Public Projects
- 3.32.250 – Informal Bid Process
- 3.32.260 – Formal Competitive Sealed Bid Process
- 3.32.270 – Competitive Sealed Proposal Process for Professional Services
- 3.32.280 – Exceptions to the Competitive Processes
- 3.32.290 – Electronic Bidding Alternative

Pages 37-40

- 3.32.300 – City Credit Cards
- 3.32.305 – Introduction
- 3.32.310 – Objectives
- 3.32.315 – Up-Front Authority
- 3.32.320 – Overview
- 3.32.325 – Definitions
- 3.32.330 – Authorized Cardholders (Non Check-Out Cards)
- 3.32.335 – Cardholder Responsibilities
- 3.32.340 – Transactions Requiring Special Documentation or Approval
- 3.32.345 – Prohibited Purchases

Pages 41-45

- 3.32.400 – Petty Cash
- 3.32.405 – Introduction
- 3.32.410 – Authority
- 3.32.415 – Designating a petty cash custodian
- 3.32.420 – Proper custody and control
- 3.32.425 – Restrictions
- 3.32.430 – Disbursements
- 3.32.435 – Petty cash advance before a purchase
- 3.32.440 – Reconciliation
- 3.32.445 – Replenishing petty cash
- 3.32.450 – Annual review
- 3.32.455 – Cash overage and shortage
- 3.32.460 – Audit

Sections

3.32.000 – Purchasing System Adopted

A purchasing system is adopted by the City Council in order to:

- A. establish efficient procedures for the purchase of supplies, services and equipment,
- B. secure for the City supplies, services and equipment at the lowest possible cost commensurate with quality needed,
- C. exercise positive financial control over purchases,
- D. clearly define authority for the purchasing function, and
- E. assure the quality of purchases.

3.32.005 – Purchasing System Objectives

The purpose of this Chapter is to guide City staff members in purchasing goods and services on behalf of the City by establishing responsibilities and authorization levels, outlining statutory requirements, and setting forth the policies and procedures that govern purchasing activities.

These guidelines are not intended to address every issue, exception or contingency that may arise in the course of purchasing activities. Accordingly, the basic standard that should always prevail is to exercise good judgment in the use and stewardship of City resources.

The objectives of the purchasing system are the following:

- A. Achieve the purposes for which it was adopted as set forth in Section 3.32.000 of this Chapter.
- B. Establish authority, responsibility and accountability for purchasing activities conducted on behalf of the City.
- C. Ensure competition and impartiality in all purchasing transactions to the maximum extent possible.
- D. Standardize procedures where appropriate to ensure that City-wide policies and goals are achieved.
- E. Maintain department responsibility, initiative and flexibility in evaluating, selecting and purchasing goods and services.
- F. Implement simple yet effective internal control procedures that appropriately support planning, maximize productive use of public funds and protect City assets from unauthorized use.
- G. Communicate City-wide purchasing goals, policies and procedures to departmental staff involved in purchasing activities.

- H. Decentralize decision-making to the maximum extent possible consistent with prudent review and internal control procedures.

3.32.010 – Purchasing Officer

A. Unless the City Council directs otherwise, the City Manager and any other representative designated by the City Manager shall be the Purchasing Officer. The Purchasing Officer shall have the authority and responsibility to:

1. Prescribe and maintain such forms as are reasonably necessary to the operation of this Chapter and other rules and regulations.
2. Purchase and contract for all supplies, equipment and services as required by any using agency in accordance with purchasing procedures prescribed by this Chapter, such administrative regulations as the Purchasing Officer shall adopt, and such other rules and regulations as shall be prescribed by the City Council.
3. Negotiate and recommend execution of purchasing contracts.
4. Act to procure the needed quality in supplies, equipment and services at least expense to the City.
5. Discourage collusive bidding and endeavor to obtain as full and open competition as possible on all purchases.
6. Consolidate department purchase orders for similar items, where appropriate, to ensure quantity discount pricing whenever possible.
7. Keep informed of current developments in the fields of purchasing, prices, market conditions and new products.
8. Be responsible for the inspection of all supplies and equipment delivered, and services performed, to ensure conformance with specifications set forth in purchase orders and contracts; and, in this connection, have the authority to require chemical, physical or other tests of samples submitted with quotations or bids, or of delivery samplings, which may be necessary to determine quality and conformance with specifications.
9. Establish procedures for, and assign duties to, staff engaged in receiving, storing and issuing purchased supplies, ensure that supply levels are consistent with usage requirements.
10. Facilitate the transfer of surplus or unused supplies and equipment between departments as needed.
11. Recommend the sale or exchange of surplus or unused supplies and equipment which cannot be used by any department or which have become unsuitable for City use.
12. Perform such other duties and functions as may be necessary to carry out the policies set forth in this Chapter.

B. The City Manager, or a representative designated by the City Manager, serves as Purchasing Officer unless the City Council otherwise directs. The Purchasing Officer has the authority and responsibility to:

1. Purchase and contract for goods and non-specialized services in accordance with the policy and procedures delineated in this Chapter.
2. Review and approve purchases requested by their staff and ensure purchases are in compliance within the guidelines in this Chapter.
3. Obtain for the City the needed quality and quantity of goods and non-specialized services, at the least expense to the City.
4. Keep informed of current developments in purchasing, prices, market conditions and new products.
5. Prescribe and maintain forms necessary to the efficient purchase of goods and non-specialized services.
6. Supervise the inspection of all goods, which are surplus to the needs of the City, and direct the disposal of the same, in a manner acceptable to the City Council.

3.32.015 – Purchasing System Organization

Unless the City Manager, with approval of the City Council, directs otherwise, a Department Head or other department staff members designated by the Department Head may act as Purchasing Officer. A Department Head or the designee thereof acting as Purchasing Officer shall do so in conformity with the procedures established by this Chapter.

3.32.020 – Purchasing System Overview

- A. Subject to the provisions of subsection "B" of this Section, all purchases must be performed according to the following steps:
 1. Assessing and determining resource needs.
 2. Developing specifications.
 3. Soliciting and evaluating quotations, bids or proposals.
 4. Selecting the quotation, proposal or bid that best meets the specifications.
 5. Awarding the contract or purchase order and authorizing work to proceed.
 6. Receiving and inspecting goods or services and approving those goods and servicing that conform with agreed-upon specifications.
 7. Paying the vendor according to the contract terms.

- B. Subject to Sections 3.32.200 to 3.32.280 of this Chapter, the type of purchase and projected cost determine the particular manner each step in subsection A of this Section shall be performed. All purchases fall within one of the following three categories:
1. General Purchases of Goods or Services. Contracts for services (except professional and maintenance services) and purchases of supplies, equipment, products, or materials fall under this category of purchases.
 2. Professional Services. Includes professional work provided to the City by specially trained and experienced individuals or entities in the areas of economic, financial, engineering, planning, architectural, environmental, legal or administrative matters.
 3. Public Projects. This category covers contracts for any public project that falls within the definition set forth in Section 3.32.240 of this Chapter.

3.32.025 – Ethical Standards of Conduct in Purchasing

The purpose of policy Sections 3.32.025 to 3.32.040 is to set forth the ethical standards of professional behavior expected of all officials and employees conducting purchasing activities on behalf of the City.

3.32.030 – Standards of Conduct in Purchasing

All Purchasing Officer and a designees thereof shall adhere to the following standards of conduct when performing purchasing activities on behalf of the City:

- A. Consider, first, the interests of the City in all transactions.
- B. Carry-out the City's purchasing policy as adopted in this Chapter.
- C. Do not engage in prejudicial or discriminatory behavior when making purchasing decisions.
- D. Subscribe to and work in honesty and truth in buying and selling, and denounce all forms and manifestations of commercial bribery.
- E. Respect obligations to others, and require the same respect from others for their obligations.

3.32.035 – Prohibited Practices

Purchasing Officers and their designees are specifically prohibited from:

- A. Having a financial or personal beneficial interest (directly or indirectly) in any contract or purchase order for supplies, equipment, services, or projects furnished to the City.
- B. Accepting or receiving (directly or indirectly) from any person, firm, or corporation to whom any contract or purchase order may be awarded (by rebate, gift or otherwise) any money or anything of material value, or any promise, obligation or contract for future reward or compensation. Inexpensive advertising items bearing the name of the firm—such as pens, pencils, paper weights or calendars—are not considered articles of value or gifts in relation to this policy.

- C. Using information available to officials and employees, solely because of their City position, for personal profit, gain or advantage.
- D. Furnishing services or information not available to all prospective bidders or to the public, or causing such services or information to be furnished, to any person or entity bidding on reasonably expected to bid on a contract with the City.
- E. Providing confidential information to persons to whom issuance of such information has not been authorized.
- F. Using a position or status in the City to solicit (directly or indirectly) business of any kind; or to purchase products at special discounts or upon special concessions for personal private use from any person or firm who sells or solicits sales to the City.
- G. Serving the interests of any organization (either as an officer, employee, member of the board of directors, or in any capacity for consideration) which transacts or attempts to transact business with the City for profit when such employee holds a City position of review or control—even though remote—over such business transactions.

3.32.040 – Responsibility to follow Ethical Standards in Purchasing

- A. Employees. Each employee engaged in purchasing activities on behalf of the City is responsible for following standards prescribed herein. Violation of these standards may result in disciplinary action, termination of employment or criminal prosecution against the employee.
- B. Department Heads. Department Heads must ensure all employees within their respective department who conduct purchasing activities are aware of and thoroughly understand the Ethical Standards of Conduct in Purchasing and the Prohibited Practices prescribed in this Chapter.
- C. City Manager. The City Manager must ensure all Department Heads who conduct purchasing activities are aware of and thoroughly understand the Ethical Standards of Conduct in Purchasing and the Prohibited Practices prescribed in this Chapter.

3.32.045 – Exemptions

The City Manager or his/her designee, with the written authorization and direction of the City Manager, may bid at a public or private auction for supplies and equipment to the extent such purchases are in the best interest of the City. The authorization herein shall be limited to a maximum of one hundred thousand dollars (\$100,000). The City Manager shall establish such policies and procedures as may be necessary to accomplish efficient, cost effective and quality purchases for the City at auction.

3.32.050 – Surplus Supplies and Equipment

The City Manager or his/her designee, shall have the authority to sell all supplies and equipment which cannot be used or have become unsuitable for use by the City or to exchange the same or to trade in the same on new supplies and equipment. The City Manager or his her designee shall sell, dispose of, exchange, or trade-in the property described under this Section for the common

benefit. The City Manager shall establish such policies and procedures as may be necessary to accomplish the sale, disposal, exchange or trade-in of such property for the common benefit.

3.32.100 – General Purchasing Policy and Requirements

The following sections describe the general purchasing policy and requirements applicable to all procurements made by the City. If any section of this policy is determined to conflict with State and/or Federal procurement requirements, the procurement may be exempt from this policy to ensure compliance with aforementioned requirements.

3.32.110 – Delegation of Responsibility

Unless the City Council directs otherwise, City Department Heads are authorized under this Chapter to act as Purchasing Officers for their respective departments and as Project Managers for their respective public projects defined in Section 3.32.020.

3.32.115 – Delegation of Contracting Authority

- A. [MGM1]The provisions of this Chapter shall supersede all ordinances, resolutions and policies related to the City's procurement system adopted prior to the adoption of this Chapter. In the event of an inconsistency between the provisions in this Chapter and those outlined in any prior ordinances, resolutions or policies, the provisions of this Chapter shall control.
- B. Any delegation of contracting authority contained in this Chapter shall be exercised in accordance with state law, and all applicable City ordinances and adopted City policies, and shall be valid if adequate funds have been included in the approved City Budget for the applicable fiscal year or otherwise appropriated by City Council.

3.32.120 – City Attorney Contract Review

The City Attorney shall approve all contracts as to form, including any amendments to the contracts, prior to the execution of the contract by the authorized City official. The City Attorney's approval shall be evidenced by his or her signature on the contract. All change orders to public works projects are subject to the City Attorney's approval.

3.32.125 – Decentralized Purchasing System

The City's purchasing system is a decentralized purchasing system, under which the authority and responsibility for the implementation of the provisions of this Chapter is delegated to any Purchasing Officer and respective designees. Each Purchasing Officer or designee thereof has the authority to purchase or contract for goods and non-specialized services, provided that said contracts and purchases are consistent with the provisions in this Chapter, including the requisite that sufficient funds have been appropriated prior to entering into such purchase contracts.

3.32.130 – Exemptions from Decentralized Purchasing

The City Manager may authorize, in writing, a single designee to purchase goods or services City-wide in order to reduce administrative costs as well as to achieve "best pricing" through volume purchases. This exemption from the City's generally decentralized purchasing system applies in the following circumstances:

Item	Sole Department Authorized to Purchase Item
Photocopying machines and fax machines	Information Technology
Desktop and laptop computers and related hardware equipment, data storage and processing servers, and computer software	Information Technology
Telephones	Information Technology
Cell phones and portable electronic devices	Information Technology

In selected circumstances, a Department Head may, with City Manager's written approval, delegate the authority and responsibility to another Department Head to act as the sole Purchasing Officer for specialized purchases.

3.32.135 – Bidders and Vendors Lists

The City Clerk shall maintain a bidders' list, vendors catalog file and records needed for the efficient operation of purchasing activities. Each Purchasing Officer shall be responsible for soliciting vendors for purchase of goods and non-specialized services in accordance with the guidelines set forth in this Chapter.

3.32.140 – Local preference

Notwithstanding any provision in this Chapter to the contrary, except for public works projects and those contracts funded through program or partners, including but not limited to, federal or state agencies, which prohibit the use of a local preference, the Purchasing Officer shall extend a preference to local businesses for contracts for supplies, equipment and services as provided in this Section.

- A. Where factors such as quality, previous performance, and availability are equal among vendors being considered, a vendor whose business is located within the City limits shall be awarded a contract if their quote, proposal or bid is within 5% of the lowest quote, proposal or bid, subject to the provisions in this Section, as long as the total difference in quote, proposal or bid amount between the local business and the lowest quote, proposal or bid does not exceed \$5,000.
- B. The local vendor must have a valid City business license and employ at least one full-time employee located at a City business address.
- C. The five percent (5%) local preference shall apply to purchases of goods or services in an amount less than Five Thousand Dollars (\$5,000).
- D. When determining the lowest responsible bidder, consideration may be given to each bidder for the sales tax which would be returned to the City as a result of the purchase transaction.

- E. Local preference may, but does not necessarily have to be applied to contracts involving professional services.
- F. Local bidders must bid with the same specifications as non-local bidders.
- G. The following language shall be included in each invitation for bids or RFP where the local preference applies:

“Local Vendor Preference: By City Council action, a five percent (5%) preference shall be granted to local bidders. A local bidder is defined as a business entity with a fixed place of business located within the City limits of the City of Perris, and employ at least one full-time employee located at the City business address. To qualify for the preference, local bidders must submit proof of the address of this fixed place of business, proof of one full-time employee, and a copy of their current City business license. This information must be submitted with each bid for which a local preference is claimed. The total amount of preference granted in a single bid shall not exceed \$5,000.

Local Preference Claimed: _____ YES _____ NO

3.32.145 – Multi-year contracts

Subject to City Council’s approval, a contract for goods, services or professional services may be entered into for any period of time deemed in the best interest of the City, up to an initial term of five (5) years, with additional renewable periods beyond this initial term, provided that the initial term of the contract and any renewal provisions are included in the original solicitation process. The Purchasing Officer shall review the performance of the service provider and substantiate that the City is still receiving the best value for such contract prior to renewing any contract for goods or services under this Chapter and shall ensure that funds have been adequately appropriated in the City’s budget for the applicable fiscal year.

3.32.150 – Encumbrance of Funds

- A. Except in cases of emergency, or by order of the City Council, purchase orders shall not be issued unless there exists an unencumbered appropriation in the department budget against which the purchase order is to be charged.
- B. Unused purchase orders shall not roll over from one fiscal year to the next, except for contract and professional services procured by an approved contract with terms that cross fiscal years. All other purchase orders shall be used in the fiscal year they were issued. In the event a planned purchase is delayed and will not occur until the next fiscal year, a new purchase order must be requested by the Purchasing Officer in the new fiscal year. Expenditures for goods or services shall be realized based upon the date the order/service is received.
- C. Invoices shall not be coded based upon budget lines that have unused or available funds. Invoices shall be coded to the correct budget line item according to the nature of the goods

or services provided. The Purchasing Officer shall be responsible for requesting budget adjustments as needed to allow for the correct coding of invoices.

3.32.155 – Budget Adjustments

Each Purchasing Officer is responsible for monitoring his/her budgetary limits on a regular basis and may request adjustments to a budget by electronically creating a budget transfer journal in the City's financial management system. The request shall be routed electronically to the authorized approvers. No invoice shall be processed by _____ without sufficient budget appropriations available for the applicable budget line item. In the event a budget adjustment is necessary to allow for an invoice to be re-coded to the proper specific line item, all applicable approvals for the budget adjustment must be reflected in the City's financial management system prior to a payment being issued by the City.

3.32.160 – Unlawful Purchases or Contracts

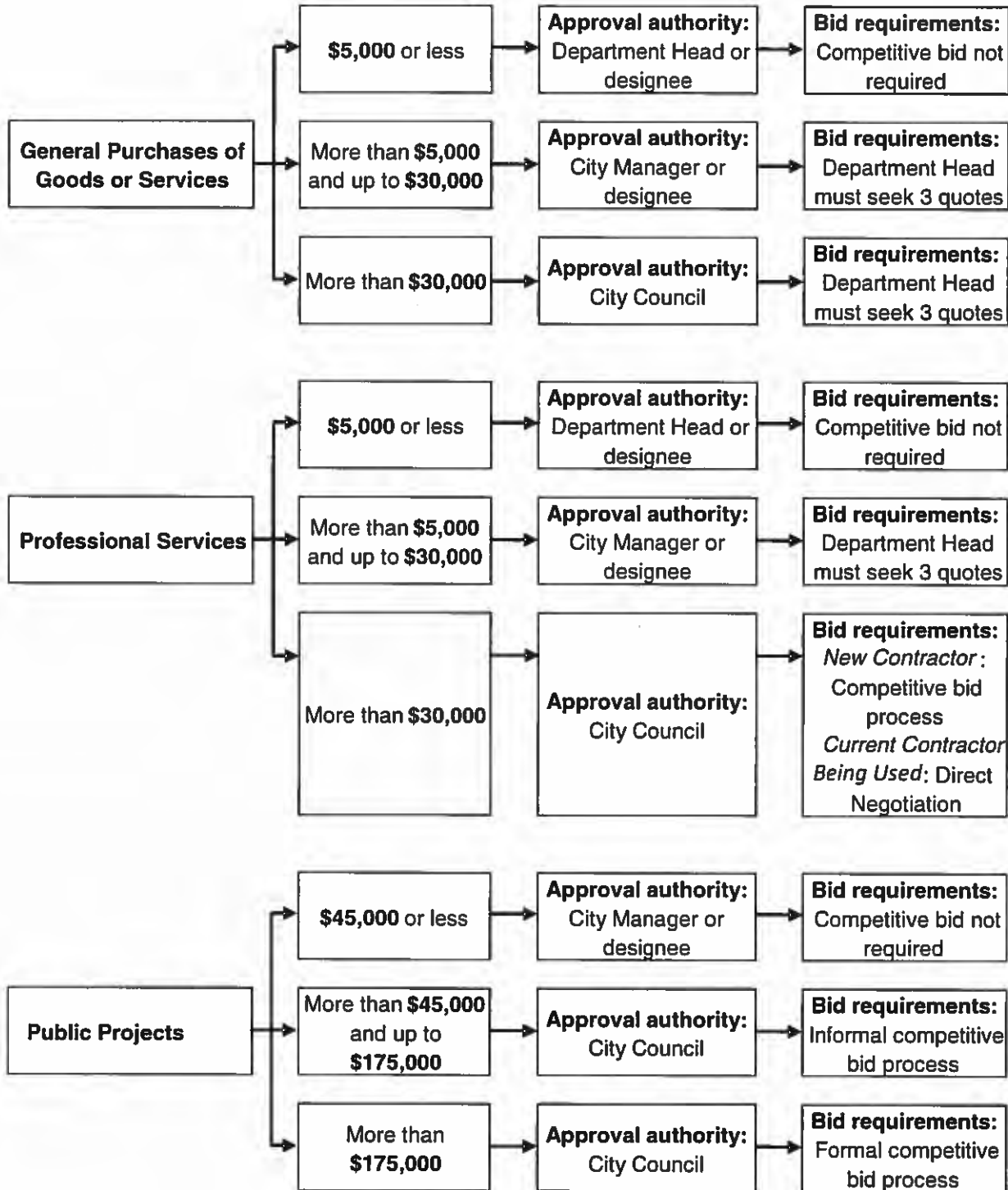
If any officer or employee purchases or contracts for any goods or services contrary to the provisions of these Procedures, such purchase order or contract may be void and of no effect. The staging or splitting of the purchase of goods or procurement of services, without proper justification or to avoid the authorization limit requirements, is strictly prohibited. The commission of any such acts by an officer or employee may subject the officer or employee to personal liability in the amount of such purchase or contract. Disciplinary action may be taken against an employee who willfully does not follow the procedures set forth in this Chapter.

3.32.165 – Record keeping

In situations where formal Council action is not required, each Purchasing Officer shall be responsible for maintaining accurate records of purchasing and contracting activities for their respective departments. THE PURCHASING OFFICER SHALL PROVIDE THE CITY CLERK WITH ALL ORIGINAL, EXECUTED CONTRACTS TO BE FILED AS A PERMANENT PUBLIC RECORD AS REQUIRED BY GOVERNMENT CODE SECTIONS 6250 et seq. (THE CALIFORNIA PUBLIC RECORDS ACT) REGARDLESS OF THE APPROVAL LEVEL REQUIRED FOR THE CONTRACT. All bid documents, specifications, and other pertinent documents related to the contract shall be retained by the purchasing department in accordance with the City's adopted document retention guidelines, following the completion of performance under the contract and acceptance by the Purchasing Officer.

3.32.200 – Purchasing Guidelines

A. All non-real property purchases, including contracts for non-real property rentals and leases, shall be made in accordance with the guidelines set forth in this Section 3.32.200 through Section 3.32.280, inclusive. Applicable competitive bidding categories, authorization limits and contract award procedures shall be based on unit cost, lump sum cost for consolidated bid items or fiscal year aggregates in the case of blanket purchase orders and ongoing purchase agreements. Staging or splitting of purchases for the purpose of avoiding these guidelines or to avoid required approvals is strictly prohibited by Section 3.32.160.



3.32.210 – Contracting Procedures and Authorization Limits

Contracting procedures and authorization limits set forth in Sections 3.32.200 through 3.32.280, inclusive, shall apply to: (1) the purchase of equipment, supplies, products, or materials (“goods”), (2) the procurement of services, including professional services (except for the services of physicians), and (3) the construction of public projects as defined by the Uniform Public Construction Cost Accounting Act. Authorized limits shall include freight and delivery, and taxes.

3.32.220 – General Purchases of Goods or Services

The following guidelines apply to the procurement of goods, as defined in Section 3.32.210, and to the furnishing of labor, time or effort to perform or complete a designated task (“services”), including but not limited to janitorial, landscaping, pest control, information technology and refuse disposal services, and excluding services specifically defined in Section 3.32.230.

- A. For purchases in the amount of Five Thousand Dollars (\$5,000) or Less
 - 1. Purchase of goods or procurement of services (except professional services as defined in Section 3.32.230) for an amount of up to Five Thousand Dollars (\$5,000), is subject to the approval of the appropriate Department Head and to the adequate appropriation of funds by the City Council
 - 2. No competitive process is required, but the Purchasing Officer shall exercise his/her best efforts to purchase goods or procure services at the lowest cost commensurate with the quality needed.
- B. For purchases in an amount higher than Five Thousand Dollars (\$5,000) and up to Thirty Thousand Dollars (\$30,000)
 - 1. Purchases of goods or procurement of services (except professional services as defined in Section 3.32.230) in an amount of more than Five Thousand Dollars (\$5,000) and up to Thirty Thousand Dollars (\$30,000), is subject to the City Manager’s written approval and issuance of a purchase order and to the adequate appropriation of funds by the City Council
 - 2. The Purchasing Officer or his/her designee must first seek and obtain three (3) quotes for purchases of goods or services within this Section, unless fewer than three (3) known vendors exist, and document the receipt of the quotes. The vendor offering the best value, after accounting for local preference if any, shall be selected. For the purchase of goods and services, if the lowest quote is not selected, the Purchasing Officer or his/her designee shall document in writing the basis for such election.
 - 3. Purchase of goods within this Section shall be made by purchase order or contract, except for special or unique goods which purchase shall require a contract. Acquisition of services must be made by contract. All contracts are subject to City Attorney’s approval as to form. When in doubt regarding whether a contract or purchase order is required or advisable, the Purchasing Officer or his/her designee shall consult with the City Attorney.
 - 4. A provider of services shall be required to provide insurance certificates and endorsements. The type and amount of insurance coverage and policy endorsements

shall be consistent with the Contract Insurance Requirements Checklist prepared by the City's Human Resources and Risk Management Departments. The Human Resources and Risk Management Departments may waive or reduce the insurance requirements. In the event of a waiver or reduction of insurance requirements, the basis for such waiver or reduction shall be documented.

5. Staging or splitting of any purchase of goods or procurement of services, without proper justification or for the purpose of avoiding the authorization limits, is strictly prohibited under Section 3.32.160.
6. Amendments to a purchase order and/or contract which result in the aggregate purchase contract amount exceeding \$30,000 shall require City Council approval.

C. For purchases in an amount exceeding Thirty Thousand Dollars (\$30,000)

1. All purchases of goods or procurement of services (except professional services as defined in Section 3.32.230) in an amount that exceeds Thirty Thousand Dollars (\$30,000) is subject to City Council approval. City Council appropriation of funds is required prior to or concurrently with the approval of such purchase or procurement.
2. The Purchasing Officer or the designee thereof must first seek and obtain three (3) oral or written quotes, unless fewer than three (3) known vendors exist, and document the receipt of the quotes. The vendor offering the best value, after accounting for local preference if any, shall be selected. For the purchase of goods, if the lowest price quote is not selected, the Purchasing Officer shall document the basis for the selection of the vendor.
3. Purchase of goods under this Section shall be made by purchase order or contract, except for special or unique goods which purchase shall require a contract. Acquisition of services must be made by contract. All contracts are subject to City Attorney's approval as to form. When in doubt regarding whether a contract or purchase order is required or advisable, the Purchasing Officer shall consult with the City Attorney.
4. A provider of services shall be required to provide insurance certificates and endorsements. The type and amount of insurance coverage, and policy endorsements shall be consistent with the Contract Insurance Requirements Checklist prepared by the City's Human Resources and Risk Management Departments. The Human Resources and Risk Management Departments may waive or reduce the insurance requirements. In the event of a waiver or reduction of insurance requirements, the basis for such waiver or reduction shall be documented.
7. Staging or splitting of the purchase of goods or procurement of services, without proper justification or for the purpose of avoiding the authorization limits, is strictly prohibited under Section 3.32.160.
8. If it is reasonably anticipated by the Purchasing Officer that the annual total cost of a particular good or service would exceed \$30,000 (excluding public projects), then incremental purchases of that good or service shall be pursuant to a contract and subject to City Council approval. The contract can be for a per service hour or per item rate, but must be renewed according to the procedures set forth in this Chapter. The contract shall be valid for a minimum of one (1) year and it is the responsibility of the

Purchasing Officer to ensure each invoice received from the consultant is calculated at the approved rate. The purpose of this provision is to achieve uniformity and savings in the costs associated with goods or services provided by the same contractor/vendor.

5. The Finance Director or his/her designee, shall create, at the direction of City Council, a purchase order to encumber budget appropriations equal to the total contract amount upon the City Council's approval of the contract and the receipt of an executed copy thereof.

D. Change Orders

Except for contracts for public projects, all change orders (inclusive of task change orders) for services are subject to the written approval of the appropriate Department Head prior to commencement of the work described in the change order. The City Manager or a Department Head may approve individual change orders that fall within their authorized procurement amount limits as defined in this Chapter. Any change order which causes the aggregate amount of the contract change orders to exceed the contingency amount authorized by the City Council shall be subject to City Council approval. All change orders approved by the City Council shall be recorded by the Finance Director or his/her designee, as a change order to the original purchase order.

3.32.230 – Professional Services

The following provisions apply to procurement of professional services defined as work performed by private accounting, architectural, financial, landscape architectural, engineering, and environmental, land surveying, legal, construction project management, lobbying firms, and by other specially trained persons.

A. Five Thousand Dollars (\$5,000) or Less

1. A Department Head, or his/her designee, is authorized to approve the procurement of professional services for an amount of up to Five Thousand Dollars (\$5,000), and only if adequate funds have been appropriated by the City Council in the budget.
2. No competitive process is required, but the Department Head shall endeavor to procure services at the lowest cost commensurate with the quality needed.

B. More than Five Thousand Dollars (\$5,000) and up to Thirty Thousand Dollars (\$30,000)

1. The City Manager, or his/her designee, is authorized to contracts and the issuance of purchase orders for the procurement of professional services for an amount exceeding Five Thousand Dollars (\$5,000) and up to Thirty Thousand Dollars (\$30,000), and only if adequate funds have been appropriated by the City Council in the budget.
2. The Purchasing Officer or the designee thereof must first seek and obtain three (3) written quotes, unless fewer than three (3) known vendors exist, and document the receipt of the quotes. The procurement process may include direct negotiation with a provider of professional services. The selection of a contractor to provide professional services shall be on the basis of demonstrated competence and on the professional qualifications necessary for the satisfactory performance of the services required. Selection based upon price alone is prohibited; however price may be considered as

a factor. Contractor proposals shall be evaluated based on a combination of factors that result in the best value to the City, including but not limited to:

- a. Understanding of the work required by the City
 - b. Quality and responsiveness of the proposal
 - c. Demonstrated competence and professional qualifications necessary for satisfactory performance of the work required by the City
 - d. Recent experience in successfully performing similar services
 - e. Proposed methodology for completing the work
 - f. References
 - g. Background and related experience of the specific individuals to be assigned to the project
 - h. Proposed compensation
3. If the Purchasing Officer or the designee thereof determines that it is in the best interest of the City that a professional service under this Section be provided by a specific consultant, with contract terms, work scope and compensation to be determined based on direct negotiations, such recommendation shall be made by the Purchasing Officer or the designee thereof to the City Council and a contract award shall be subject to the City Council approval by a majority vote.
 4. Procurement of professional services under this Section shall be made by contract and a purchase order must be issued and approved by the City Manager. The contract shall be subject to City Attorney approval as to form.
 5. A provider of professional services is required to provide insurance certificates and endorsements. The type and amount of insurance coverage, and policy endorsements shall be consistent with the Contract Insurance Requirements Checklist prepared by the City's Human Resources and Risk Management Departments. The Human Resources and Risk Management Departments may waive or reduce the insurance requirements and shall document the basis for such a waiver or reduction.
 6. Staging or splitting of the procurement of professional services, without proper justification or to avoid the authorization limits, is prohibited. Additionally, if the Department Head reasonably anticipates the annual total cost of a particular service to require a competitive sealed proposal process, then incremental procurement of that service shall be pursuant to a competitive sealed proposal process.
 7. Amendments to a purchase order and/or contract which result in an aggregate contract amount that exceeds the authority of the City Manager shall be subject to City Council approval.
- C. More than Thirty Thousand Dollars (\$30,000) – Competitive Sealed Proposal Process for Professional Services

1. The procurement of professional services in an amount that exceeds Thirty Thousand Dollars (\$30,000) shall be subject to the City Council approval. City Council appropriation of funds is required prior to or concurrently with the approval of such procurement.
2. The procurement process may include direct negotiation with a contractor or consultant currently providing the professional services.
3. In the event a new contractor is selected, the Competitive Sealed Proposal Process for Professional Services under Section 3.32.270 shall apply.
4. The Purchasing Officer or the designee thereof must prepare a request for proposals (RFP) for the procurement of professional services in an amount more than Thirty Thousand Dollars (\$30,000), in the manner set forth under Section 3.32.270. The selection of a professional services contractor shall be on the basis of demonstrated competence and on the professional qualifications necessary for the satisfactory performance of the services required. Selection based upon price alone is prohibited; however price may be considered as a factor. Contractor proposals will be evaluated based on a combination of factors that result in the best value to the City, including but not limited to:
 - a. Understanding of the work required by the City
 - b. Quality and responsiveness of the proposal
 - c. Demonstrated competence and professional qualifications necessary for satisfactory performance of the work required by the City
 - d. Recent experience in successfully performing similar services
 - e. Proposed methodology for completing the work
 - f. References
 - g. Background and related experience of the specific individuals to be assigned to the project
 - h. Proposed compensation
5. If the Purchasing Officer or the designee thereof determines that it is in the best interest of the City that a professional service under this Section be provided by a specific consultant, with contract terms, work scope and compensation to be determined based on direct negotiations, such recommendation shall be made by the Purchasing Officer or the designee thereof to the City Council and a contract award shall be subject to the City Council approval by a majority vote.
6. Procurement of professional services under this Section shall be made by contract. The contract shall be subject to City Attorney approval as to form.
7. The Finance Director, or his/her designee, will create a purchase order to encumber budget appropriations upon the approval of a lump-sum contract by the City Council

and receipt of an executed copy of the contract.

8. A provider of professional services is required to provide insurance certificates and endorsements. The types of insurance, amount of coverage, and policy endorsements shall be consistent with the Contract Insurance Requirements Checklist prepared by the City's Human Resources and Risk Management Departments. The Human Resources and Risk Management Departments may waive or reduce the insurance requirements, and must document the basis for such a waiver or reduction.
9. Staging or splitting of the procurement of professional services, without proper justification or to avoid the authorization limits, is prohibited. Additionally, if the Department Head reasonably anticipates the annual total cost of a particular service to require a RFP process, then incremental procurement of that service shall be pursuant to a RFP process.
10. Amendments to a purchase order and/or contract which result in an aggregate amount exceeding the approval authority of the City Manager shall require City Council approval.
11. Notwithstanding the above limits, the City Manager, or his/her designee, is authorized to execute a contract for professional services without City Council approval if the contractor has deposited funds sufficient to cover the full amount of the contract with the City (as verified by the Finance Director), and such funds are held in a trust account that restricts the use of the funds to pay for City-managed professional services contracts, such as the preparation of an environmental impact report. Any contract entered into pursuant to this paragraph shall be entered into in accordance with all applicable state and federal law, City ordinances and adopted City policies, including the same competitive process required for a City-funded contract for professional services. The selection of a professional services contractor shall be on the basis of demonstrated competence and on the professional qualifications necessary for the satisfactory performance of the services required. Selection based upon price alone is prohibited; however price may be considered as a factor.

D. Change Orders

Except for contracts for public projects, all change orders (inclusive of task change orders) for professional services are subject to the written approval of the appropriate Department Head prior to commencement of the work described in the change order. The City Manager or a Department Head may approve individual change orders that fall within their authorized procurement amount limits as defined in this Chapter. Any change order which causes the aggregate amount of the contract change orders to exceed the contingency amount authorized by the City Council shall be subject to City Council approval. All change orders approved by the City Council shall be recorded by the Finance Director or his/her designee, as a change order to the original purchase order.

3.32.240 – Public Projects

The City has elected by Resolution No. 1568 to become subject to the uniform construction cost accounting procedures set forth in Article 2 (commencing with Section 22010) of the Uniform Public Construction Cost Accounting Act. For purposes of this Chapter, "public project" is defined as (1) construction, reconstruction, erection, alteration, renovation, improvement, demolition, and repair work involving any publicly owned, leased, or operated facility; or (2)

painting or repainting of any publicly owned, leased, or operated facility; or (3) in the case of a publicly owned utility system, "public project" shall include only the construction, erection, improvement, or repair of dams, reservoirs, power plants, and electrical transmission lines of 230,000 volts and higher. For purposes of this Chapter, "public projects" also includes [MGM2]"maintenance work" and any capital improvement projects undertaken by the Perris Community Economic Development Corporation (CEDC). Maintenance work is defined as: (1) routine, recurring, and usual work for the preservation or protection of any publicly owned or publicly operated facility for its intended purposes; (2) minor repainting; (3) resurfacing of streets and highways at less than one inch; (4) landscape maintenance, including mowing, watering, trimming, pruning, planting, replacement of plants, and servicing of irrigation and sprinkler systems; or (5) work performed to keep, operate, and maintain publicly owned water, power, or waste disposal systems, including, but not limited to, dams, reservoirs, power plants, and electrical transmission lines of 230,000 volts and higher. Facility means any plant, building, structure, ground facility, utility system, or real property, streets and highways, or other public work improvement.[MGM3]

- A. Public project in the amount of Forty-Five Thousand Dollars (\$45,000) or Less or as set forth in Section 22032 subsection (a) of the Uniform Public Construction Cost Accounting Act and any amendments thereto by the California Legislature
 1. As provided by Section 22032, subsection (a), of the Uniform Public Construction Cost Accounting Act, and subject to City Manager's approval, projects under this Section may be performed by the employees of the City or by a negotiated written contracts or by the issuance of a purchase order. City Council appropriation of funds is required prior to the execution of the contract. The contract is subject to the City Attorney's approval as to form.
 2. A contractor is required to provide insurance certificates and endorsements. The type and amount of insurance coverage, and policy endorsements shall be consistent with the Contract Insurance Requirements Checklist prepared by the City's Human Resources and Risk Management Departments. The Human Resources and Risk Management Departments may waive or reduce the insurance requirements, and shall document the basis for such a waiver or reduction.
 3. Staging or splitting of contracts for public projects, without proper justification or to avoid the authorization limits, is prohibited.
 4. Change orders or amendments to a purchase order and/or contract which result in an aggregate contract amount exceeding the authority of the City Manager shall be subject to City Council approval.
- B. Projects more than Forty-Five Thousand Dollars (\$45,000) and up to One Hundred and Seventy Five Thousand Dollars (\$175,000) or as provided under Section 22032 subsection (b) of the Uniform Public Construction Cost Accounting Act and any amendments thereto by the California Legislature
 1. As provided in Section 22032, subsection (b) of the Uniform Public Construction Cost Accounting Act, public projects within the limits set forth herein may be let to contract by informal procedures as set forth in the Public Contract Code and adopted herein.
 2. For purpose of this section, contracts are subject to City Council approval and may be

executed by the City Manager after said approval. City Council appropriation of funds is required prior to the execution of the contract.

3. The Purchasing Officer shall seek and obtain informal bids using the Informal Bid Process set forth under Section 3.32.250 of this Chapter. In the event of a conflict between the provisions of this process, and the Public Contract Code or the State Controller procedures, the Public Contract Code and State Controller procedures shall govern.
 4. A written contract is required for public projects under this section. The contract shall be subject to the City Attorney approval as to form.
 5. The Finance Director, or his/her designee, will create a purchase order to encumber budget appropriations upon the approval of a lump-sum contract by the City Council and receipt of an executed copy of the contract.
 6. A contractor is required to provide insurance certificates and endorsements. The type and amount of insurance coverage, and policy endorsements shall be consistent with the Contract Insurance Requirements Checklist prepared by the City's Human Resources and Risk Management Departments. The Human Resources and Risk Management Departments may waive or reduce the insurance requirements, and shall document the basis for such a waiver or reduction.
 7. Staging or splitting of contracts for public projects, without proper justification or to avoid the authorization limits, is strictly prohibited under Section 3.32.160 of this Chapter.
 8. Change orders or amendments to a purchase order and/or a contract which result in an aggregate project amount exceeding the approval authority of the City Manager shall be subject to City Council approval. All contract change orders approved by the City Council will be recorded by the Finance Director, or his/her designee, as a change order to the original purchase order.
- C. More than One Hundred Seventy Five Thousand (\$175,000) or as provided under Section 22032 subsection (c) of the Uniform Public Construction Cost Accounting Act and any amendments thereto by the California Legislature
1. Public projects under this section shall be let to contract by formal bidding procedures as set forth in the Public Contract Code and adopted herein. Contracts shall be subject to the City Council approval, and subsequent to such approval, may be executed by the City Manager. City Council appropriation of funds is required prior to or concurrently with the approval of the contract.
 2. The City Council shall adopt all plans, specifications, and working details for all public projects of more than one hundred seventy-five thousand dollars (\$175,000).
 3. A written contract is required for all public projects within this section. The contract shall be subject to the City Attorney's approval as to form.
 4. The Finance Director, or his/her designee, will create a purchase order to encumber budget appropriations upon the approval of a lump-sum contract by the City Council

and receipt of an executed copy of the contract.

5. The Purchasing Officer must seek and obtain formal competitive sealed bids in the manner set forth under Section 3.32.260.
6. A contractor is required to provide insurance certificates and endorsements. The type and amount of insurance coverage, and policy endorsements shall be consistent with the Contract Insurance Requirements Checklist prepared by the City's Human Resources and Risk Management Departments. The Human Resources and Risk Management Departments may waive or reduce the insurance requirements, and shall document the basis for such a waiver or reduction.
7. Staging or splitting of contracts for public projects, without proper justification or to avoid the authorization limits, is strictly prohibited under Section 3.32.160 of this Chapter.
8. Change orders or amendments to a purchase order and/or contract shall be subject to City Council approval. All change orders approved by the City Council will be recorded by the Finance Director, or his/her designee, as a change order to the original purchase order.

D. Contingency Amount for Public Projects

1. Any contingency amount needed to adequately appropriate funds for any public project must be included in the total project cost at the time a request for approval is submitted to the City Manager or City Council as provided by this Chapter.
2. When determining the authorization limit for a public project contract, the contingency amount shall be included.

E. Change Orders

All change orders for public projects shall comply with the City's standard construction specifications and shall be subject to the City Attorney's approval and subject to the City Manager or appropriate Department Head's written approval prior to commencement of the work. The City Manager or a Department Head may approve individual change orders that fall within their authorized procurement amount limits as defined in this Chapter. Any change order which causes the aggregate amount of the contract change orders to exceed the contingency amount authorized by the City Council shall be subject to City Council approval.

1. A change order is defined as a formal document that alters some condition of a contract term after the contract has been executed. A change order may alter the contract price, unit quantity, schedule of payments, completion date, or the plans and specifications. The description of the work to be performed under a change order and any justification thereof, must relate to the original project and must describe work necessary to achieve the original objective of project that is the subject of the original contract. A change order may or may not result in a change in the original contract price. All change orders must be processed according to the City's established procedures, including deductive and zero cost change orders.

2. All change orders shall be issued in written form and, once executed, sent to the City Clerk for inclusion in the City's records pertaining to the related contract. A change order shall be used to modify the original contract's price, schedule of payments, completion date, plans and specifications, scope of work due to change in conditions, and unit price overruns and under runs. Change orders shall be in writing and shall be subject to approval by the appropriate authority prior to the commencement of the changed work and shall be negotiated for a fixed or unit cost (i.e. not subject to change due to inflation and/or other factors). Any requests for unit quantity adjustments must be submitted as change orders. Change orders for unit quantity adjustments shall not require City Council approval unless the adjustments cause a change in scope, or are not within the initially approved contingency amount, or increase the aggregate contract amount to more than \$45,000.
3. Subject to the appropriation of sufficient budget amount by City Council, the Project Manager is authorized to approve change orders to public contracts without renewed City Council approval only if the resulting increase does not exceed five percent (5%) of the contract sum or \$25,000, whichever is less.
4. The provisions of this section shall not apply to City Council approved contracts that specifically set forth a "scope of services" and/or schedule of fees for those services, and if a supplemental rate of pay is specified for additional work to be performed outside of the original scope of work.
5. Subject to the limitations set forth herein, the City Manager or a designee thereof, is authorized to approve change orders he or she deems merited, up to the contract contingency amount approved by the City Council as follows:
 - a. Change orders to contracts in an original amount of under \$45,000:
 - i. The City Manager, or his/her designee, may approve any change order as long as the aggregate amount of change orders including the original contract amount does not exceed \$45,000.
 - ii. Any change order that results in an aggregate project cost that exceeds \$45,000 shall be subject to City Council approval.
 - iii. In case of an emergency, the City Manager may make a written finding that the original project cost estimate was reasonable and that it is in the best interest of the City to waive the bidding requirement and approve a change order that causes the aggregate project cost to exceed \$45,000. Any additional change orders or budget appropriations related to the project to which the emergency change order was approved are subject to the City Council approval.
 - b. Change orders to contracts in an original amount greater than \$45,000:
 - i. Subject to the other provisions in this section, the City Manager, or his/her designee, may approve change orders of an aggregate amount within the contingency limit approved by City Council for the individual contract to which the change orders apply.

- ii. Subject to the appropriation of sufficient budget amount by City Council, the Project Manager is authorized to approve change orders to public contracts without renewed City Council approval only if the resulting increase does not exceed five percent (5%) of the contract sum or \$25,000, whichever is less.
- iii. If there exists an immediate, substantial and verifiable threat to public health, welfare, or safety, or when a local emergency has been declared or proclaimed in accordance with the provision of Chapter 2.44 of the Perris Municipal Code, the City Manager may approve a change order subject to ratification at the next regular City Council meeting.

6. Field Work Directives

- a. In case of a public health or local emergency, the Project Manager may approve field work directives in an amount not to exceed \$10,000 per directive, subject to ratification by the appropriate authority as set forth in this Chapter and within the following time limit: for directives within the approval authority of the City Manager, ratification must occur within two business days of the emergency field work directive; for directives that are subject to the City Council approval, request for ratification must be presented for approval at the regularly scheduled City Council meeting immediately following the emergency field work directive.

7. Budget Requirements

- a. Subject to the appropriation of sufficient budget amount by City Council, the Project Manager is authorized to approve change orders to public contracts without renewed City Council approval only if the resulting increase does not exceed five percent (5%) of the contract sum or \$25,000, whichever is less.
- b. City Council may award a contingency for each contract as appropriate. In the absence of a contingency, each change order is subject to the City Council for approval.
- c. The likelihood and estimated amount of field work directives and change orders must be addressed, and a corresponding contingency established, in the initial staff report presented to the City Council related to the public project. At no time shall the amount of work directives and/or change orders exceed the budgeted contingency amount without additional City Council approval.

8. Oversight/Project Review

- a. Final Acceptance Reports:

Final acceptance reports for all capital improvement projects must be submitted to the City Manager for approval. Acceptance by the City Manager shall be acknowledged in writing and attested by the City Clerk. The executed final acceptance report shall then be filed with the office of the Assessor-County Clerk-Recorder of the County of Riverside.

- i. The term “completed” shall mean after all work has been performed by the contractor according to the terms of the contract and all payments have been made by the City to the contractor (excluding retention).
- ii. The City Engineer shall present the City Council with periodic reports cataloging accepted public projects and capital improvements.
- iii. All Department Heads are required to file a budget-to-actual report with the City Council for each completed public project.

F. Bonds

1. **Bid Security Bond.** The Bid Security Bond may be referred to from time to time as the “Bid Bond,” “Security Bond,” and “10% Bond.” No term is more correct than another, and any of these terms may be used interchangeably. The City may, in the call for bid documents, require all bidders to deposit with the City a Bid Security Bond in an amount equal to ten percent (10%) of the bid contract amount or any other amount the City specifies, and in a form payment of the City’s choosing. Should the successful bidder refuse to execute the contract as awarded and within the required deadline, the bidder shall be deemed to have forfeited the Bid Security Bond amount to the City. The City may retain as damages an amount out of the Bid Security Bond equal to the difference between the lowest/successful bid and the second lowest bid and return the excess Bid Security Bond amount, if any, to the lowest/successful bidder.
2. **Payment Bond.** The City may, in the call for bid documents, require bidders to submit with the City a Payment Bond for the purpose of providing sub-contractors and suppliers, if any, with a surety backing in the event the general contractor does not pay amounts due to sub-contractors and suppliers under the public project contract.
3. **Performance Bond.** The City may, in the call for bid documents, require bidders to deposit with the City a Performance Bond for the purpose of compensating the City for any damages resulting from the successful bidder’s failure to complete the public project in accordance with the bid specifications, including the cost of contracting with a different contractor to complete the project. Performance bonds are required for all contracts over \$45,000.

G. Utility Relocation

The City Council hereby authorizes and delegates authority to the City Manager and the City Engineer to negotiate and execute contracts for the relocation of utilities necessitated by a public project with utility companies. Such authority shall only be exercised (a) in accordance with state law, City ordinances and adopted City policies, as applicable (b) only if adequate funds for the contract have been included in the approved City Budget for the applicable year, or otherwise appropriated by the City Council, and (c) subject to City Attorney approval as to form and legality.

3.32.250– Informal Bid Process

The informal bid process is as follows:

- A. The City Clerk shall maintain a list of contractors in accordance with the provisions of Section 22034 of the Uniform Public Construction Cost Accounting Act.
- B. A notice inviting informal bids shall be emailed to contractors and construction trade journals with circulation within the County of Riverside. Additional contractors and/or construction trade journals may be notified subject to the following:
 - 1. If there is no list of qualified contractors maintained by the City for the particular category of work to be performed, the notice inviting bids shall be sent only to the construction trade journals.
 - 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.
 - 3. All notices to contractors and construction trade journals shall be emailed not less than ten (10) calendar days before bids are due.
 - 4. The notice inviting informal bids shall describe the project in general terms, how to obtain more detailed information about the project, and shall state the time and place for the submission of bids.
- C. Bid Award. The City shall award the purchase to the lowest and most “responsible bidder.” “Responsible bidder” is defined in Section 3.32.260, subsection “F”. Only successful bidders shall be notified of the award.
 - a. Bids not received via the City’s electronic bidding system shall be submitted to the City Clerk and shall be identified as bids on the envelope. A written record and tabulation shall be made at the time all bids are received. The tabulation of all bids received shall be open to public inspection after the bid opening during regular business hours for a period of not less than 30 days after the bid opening, but shall not preclude the City Council from awarding the contract after the five (5) day protest period. Other information relating to the bids shall be available to the public in accordance with the Public Records Act.
 - b. Bids received on the City’s electronic bid system shall be opened by the Purchasing Officer after the stated deadline for bids to be received. A written record and tabulation shall be made and retained by each Department Head. The tabulation of all bids received shall be open to public inspection after the bid opening during regular business hours for a period of not less than 30 days after the bid opening, but shall not preclude the City Council from awarding the contract after the five (5) day protest period. Other information relating to the bids shall be available to the public in accordance with the Public Records Act.

3.32.260– Formal Competitive Sealed Bid Process for Other than Professional Services

A. Preparation of Formal Bid Specifications.

1. The Project Manager or his/her designee shall prepare or cause to be prepared Bid Specifications, and obtain all appropriate approvals to the Bid Specifications prior to soliciting any bids. Bid Specifications shall:
 - a. Identify numerical requirements in a simple, specific manner.
 - b. Be capable of being met by several bidders to allow for competitive bidding.
 - c. Be capable of being accurately evaluated by the Project Manager.
2. In limited circumstances, and unless the City Council directs otherwise, specific brand names may be used in Bid Specifications. Any such use of brand names shall not be construed as an endorsement by the City of a particular product and shall only be used to illustrate the quality level and performance desired. Bids with items of demonstrated equal or better quality level as the brand name mentioned in the Bid Specification are deemed acceptable.
3. If the use of brand names is required, other comparable brand names may be listed in the bid specifications to facilitate the vendor's understanding of the specifications and to promote objectivity. Bidders may submit substitute items in their bid document as having an equal or better quality specification. Acceptance of such substitute items is at the City's sole discretion.

B. Invitation and Notice

1. **General Notice.** A notice inviting sealed bids shall be issued and shall include a general description of the articles to be purchased, shall state where bid forms and specifications may be obtained, and the time and place for opening bids. Public notice of the invitation for bids shall be given at least fourteen (14) calendar days prior to the date set for the opening of bids. The notice shall be published at least once in a newspaper of general circulation in the City and on the City's purchasing/bidding website. If there is no newspaper of general circulation the notice shall be published in at least three (3) public places in the City that have been designated by ordinance as the places for posting public notices. The Project Manager, or his/her designee, may also choose to publish the notice in another newspaper, trade newspaper, trade journal, and/or on an electronic procurement solicitation system in order to provide notice to the largest number of prospective bidders.
2. **Public Projects Notice.** Notices inviting bids for public projects shall be consistent with Public Contract Code Section 20164 which states: "The Notice Inviting Bids shall set a date for the opening of bids. The first publication or posting of the notice shall be at least 10 days before the date of opening the bids. Notice shall be published at least twice, not less than five days apart, in a newspaper of general circulation printed and published in the City or, if there is none, it shall be posted in at least three public places in the City that have been designated by ordinance as the places for posting public notices." The City Clerk shall administer the posting of legally required notices in the

three public places designated by ordinance. All other postings shall be administered by each Project Manager.

3. **Bidders List.** – The City Manager, or his/her designee shall maintain a list of prospective vendors and trade journals, and bids shall be solicited from all prospective vendors and trade journals whose names are on the bidder's list or who have requested that their names be added to the list.
 - a. A notice inviting formal sealed bids shall be emailed to all contractors for the category of work to be bid, as shown on the list developed in accordance with this section.
 - b. If there is no list of qualified contractors maintained by the City 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 California Uniform Construction Cost Accounting Commission at least fifteen (15) calendar days prior to the date of the bid opening.
4. **Advertising.** The bid initiating Project Manager shall advertise in accordance with the above-stated requirement, and 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.
5. **Security.** The City may require bidders to deposit with the City security equal to ten (10%) of the bid amount (or less as determined by the Project Manager), and/or a performance bond, and/or a payment bond in such amount as it shall find reasonably necessary to protect the public interest. If the City requires either or both such security and bond, the form and amount of the security and bond shall be described in the notice inviting bids.
6. **Pre-Bid Conference.** If the nature of the bid is particularly complex, the City may conduct a Pre-Bid Conference with a group of prospective bidders to provide additional bid information and to answer any questions concerning the Bid Package. If a Pre-Bid Conference is to be scheduled, it shall be indicated in the Notice Inviting Bids, with time and place of the conference provided. In order to minimize potential inequities in the distribution of information related to the bid, City could mandate prospective bidders attend this conference as a prerequisite to eligibility to bid

C. Bid Opening

Sealed bids properly received by the City shall be opened publicly by the City Clerk or a designee in the presence of one or more witnesses at the place, date, and time designated in the invitation for bids. A written record and tabulation shall be made at the time all bids are received. The tabulation of all bids received shall be open to public inspection after the bid opening during regular business hours for a period of not less than thirty (30) days after the bid opening, but shall not preclude the City Council from awarding the contract after the five (5) day protest period. Other information relating to the bids shall be available to the public in accordance with the Public Records Act.

- D. **Bid Evaluation and Acceptance.** Sealed bids received at or prior to the time set for bid opening shall be unconditionally accepted without alteration or correction, except as specified herein. Bids shall be evaluated based on the requirements set forth in the invitation for bids, which may include criteria to determine acceptability such as inspection, testing, quality, workmanship, delivery, and suitability for a particular purpose. The invitation for bids shall set forth the evaluation criteria to be used. No criteria may be used in bid evaluations that are not set forth in the invitation for bids.
- E. **Correction or Withdrawal of Bids.** Subject to any federal or state law mandating authorities to the contrary, correction or withdrawal of inadvertently erroneous bids before or after bid opening, or cancellation of awards or contracts based on such bid mistakes, shall be made in accordance with this section. Mistakes discovered before bid opening may be modified or withdrawn by written notice received in the office designated in the invitation for bids prior to the time set for bid opening. After bid opening, no corrections to bid or provisions shall be permitted but, in lieu of bid correction, a low bidder alleging a material mistake of fact may be permitted to withdraw its bid if: (a) the mistake is clearly evident on the face of the bid document, or (b) the bidder submits evidence that clearly and convincingly demonstrates that a mistake was made. All decisions to permit the correction or withdrawal of bids, with or without penalty, shall be supported by a written determination made by the Purchasing Officer.
- F. **Determinations**
1. **Determination of Non-responsibility.** In addition to price, the lowest bidder must be a responsible bidder, meaning that the bidder must have the ability, capacity, skill, character, integrity, reputation, judgment, experience, facilities and financial resources necessary to perform the contract. The bidder must also have a record of satisfactory performance of prior contracts and a record of compliance with laws and ordinances applicable to the contract. If a bidder who otherwise would have been awarded a contract is found non-responsible, a written determination of non-responsibility, setting forth the basis of the finding, shall be prepared by the City Manager or his/her designee. The unreasonable failure of a bidder to supply promptly information in connection with an inquiry with respect to responsibility may be ground for a determination of non-responsibility with respect to such bidder. A copy of the determination shall be sent promptly to the non-responsible bidder. The final determination shall be made part of the contract file and be made a public record under the Public Records Act.
 2. **Determination of Non-responsiveness.** In addition to price and to being a responsible bidder, the lowest bidder must be a responsive bidder. A responsive bidder is one that conforms to the material terms of the bid package. A bid is responsive if it promises to do what the bidding instructions demanded. Conformance with the requirements of the invitation to bid may also include providing insurance requirements and bonds, completion of all forms, inclusion of references, and/or additional information as requested in the bid document. If a bid is found non-responsive, a written determination of non-responsiveness, setting forth the basis of the finding, shall be prepared by the City Manager or his/her designee. A copy of the determination shall be sent promptly to the non-responsive bidder. The final determination shall be made part of the contract file and be made a public record in accordance with the Public Records Act.

3. In determining the lowest “responsible” bidder, the following factors shall be considered in addition to price:
 - a. The ability of the product offered to provide the quality, fitness, and capacity for the required usage.
 - b. The ability, capacity, and skill of the bidder to perform the contract or provide the service required.
 - c. The character, integrity, reputation, judgment, experience and efficiency of the bidder, particularly with reference to past purchases by the City.
 - d. Whether the bidder can perform the contract or deliver the material within the time required.
 - e. The quality of performance and/or quality of products provided in previous contracts or services.
- G. Bid Award. The contract shall be awarded by appropriate written “Notice of Intended Award” to the lowest cost, responsible and responsive bidder whose bid meets the requirements and criteria set forth in the invitation for bids. The initiating Purchasing Officer shall prepare the staff report to the City Council requesting approval to award the contract to the lowest, most responsible bidder. Prior to the submittal of the item to the City Manager’s office for placement on the City Council Agenda, the initiating department shall obtain the appropriate purchasing, fiscal, and legal review of the report. The City Council may award a contract or reject all bids. Rejection may be in whole or in part of a bid, if permitted by the Bid Specifications. If two or more bids are received for the same total amount or unit price (quality and service being equal), and if the City Council finds that the public interest will be furthered, the City Council may accept the bid it chooses or proceed by negotiation, unless prohibited under state law. Upon City Council award of the bid, the Purchasing Officer shall complete the execution of the Agreement and provide the original, executed document to the City Clerk for record keeping.
- H. Appeals. Any interested party may file a protest regarding the procurement decisions authorized under this Chapter.
 1. Time to File Protest. All protests must be filed in writing and must be received by the City Clerk within five (5) business days of the date of the opening of the bids.
 2. Form of Protest. All protests shall be in writing, state the grounds for the protest, state the facts relevant to the protest, and all evidentiary support to rebut adverse evidence that it or another bidder was either non-responsive or not responsible. All protests must be filed in accordance with the instructions contained in the solicitation which is the subject of the protest.
 3. City Manager Review. The City Manager or his/her designee shall review the protest and shall issue a written decision on the protest. The City Manager or his/her designee may base the decision on the written protest alone or may informally gather evidence from the person(s) filing the protest or any other person having relevant information.

For procurements having a value of One Hundred Seventy-five Thousand (\$175,000) Dollars or less, the City Manager's or his/her designee's decision shall be final.

4. Appeal of City Manager's Decision to City Council. For procurements having a value exceeding One Hundred Seventy-five Thousand (\$175,000) Dollars, an appeal of the City Manager's decision may be filed with the City Clerk for consideration by the City Council. All such appeals must be in writing, and shall be filed within five (5) business days from the date of the City Manager's decision.
 - I. Failure to Timely Appeal. An interested party who fails to file a protest within the times set forth in this section waives any right to protest the issue at a later date.
 - J. Cancellation of Invitations. An invitation for bids may be cancelled, or any or all bids or proposals may be rejected in whole or in part as may be specified in the solicitation or in the City Council's discretion.
 - K. Rejection of Bids. The City Council may reject all bids or award the purchase contract to the lowest responsive and responsible bidder whose bid fulfills the intended purpose according to criteria designated in the solicitation, provided that an unencumbered appropriation exists for the purchase. The City Council may waive any minor bid irregularities. If bids are rejected, the City Council may authorize purchasing staff to negotiate a contract for the purchase, initiate a rebid, or abandon the purchase.
 - L. Local Preference. Quality and service being equal, a local preference of five percent (5%) shall be given to local vendors within the City as set forth in Section 3.32.140
 - M. Bonds. The City may require a bid bond with any bid, or a performance bond, labor and material bond or warranty bond before entering into a contract, in such amount as is reasonably necessary to protect the interests of the City. The form of payment and amount of any bond shall be described in the notice inviting bids.

3.32.270– Competitive Sealed Proposal Process for Professional Services

A Purchasing Officer may solicit competitive sealed proposal process by way of a Request for Proposal (RFP) the procurement of services in an amount of more than Thirty Thousand Dollars (\$30,000). RFPs procedures are as follows:

- A. Request for Proposals and Notice
 1. The RFP should include a detailed scope of work, clearly state the City's needs and articulate the criteria for evaluating proposals submitted.
 2. General Notice. A notice requesting proposals ("RFP") shall be issued and shall include a general description of the services to be procured, shall state where proposal forms and specifications may be obtained, and the time and place for the delivery of proposals. Public notice of the invitation for bids shall be given at least fourteen (14) calendar days prior to the date set for the opening of bids. The notice shall be published at least once in a newspaper of general circulation in the City and on the City's purchasing/bidding website. If there is no newspaper of general circulation the notice shall be published in at least three (3) public places in the City that have been designated by ordinance as the places for posting public notices. The Purchasing

Officer, or his/her designee, may also choose to publish the notice in another newspaper, trade newspaper, trade journal, and/or on an electronic procurement solicitation system in order to provide notice to the largest number of prospective bidders. The City Clerk shall administer the posting of all legally required notices in the three (3) public places designated by ordinance. All other postings shall be handled by the respective Purchasing Officer.

3. **Bidding List.** – The City Manager, or his/her designee shall maintain a list of prospective vendors and trade journals. Bids shall be solicited from all prospective vendors and trade journals whose names are on the bidder's list or who have requested that their names be added to the list.
 - c. A notice inviting formal bids shall be emailed to all contractors for the category of work to be bid, as shown on the list developed in accordance with this section.
 - d. If there is no list of qualified contractors maintained by the City 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 California Uniform Construction Cost Accounting Commission at least fourteen (14) calendar days before the date of the bid opening.
 4. **Advertising.** The initiating Purchasing Officer is required to advertise in accordance with the above-stated requirement.
 5. **Bulletin Board.** The initiating department may also advertise pending purchases by a notice posted on a public bulletin board in City Hall or the City's website.
 6. **Pre-Bid Conference.** If the nature of the bid is particularly complex, it may be desirable to conduct a Pre-Bid Conference with prospective bidders as a group to provide additional bid information and to answer any questions concerning the Bid Package. If a Pre-Bid Conference is to be scheduled, it shall be indicated in the Notice Inviting Bids, with time and place of the conference provided. In order to minimize potential inequities in the distribution of information related to the bid, departments could mandate attendance to this conference in order to be considered an eligible bidder. This mandate would have to be defined in the Bid Terms and Conditions.
- B. Evaluation Factors.** The RFP shall identify all evaluation factors that will be used by the Purchasing Officer, and the relative importance of the evaluation factors, including price. Evaluation factors should include the following.
1. **Mandatory elements**
 - a. The person or entity is properly licensed to practice in California, has no conflict of interest, adheres to the proposal instructions and includes a Letter of Transmittal.
 - b. Expertise and experience
 - c. Response to the scope of work
 - d. Allocation of resources

2. Oral Presentations/Interviews with Responsible Offerors and Revisions to Proposals. The City may conduct interviews and negotiations with responsible vendors whose proposals are responsive to the RFP, for the purpose of gaining full understanding of the proposal contents. Vendors shall be accorded fair and equal treatment with respect to any opportunity for discussion and revision of proposals. Such revisions may be permitted after submissions and prior to award for the purpose of obtaining best and final offers. In conducting discussions, there shall be no disclosure of the identity of competing vendors or any information derived from proposals submitted by competing vendors.
3. Once firms are ranked based upon quality, the staff determines if the highest ranking firm's cost proposal is reasonable prior to making a recommendation for selection. If the cost proposal is found to be unreasonable, staff evaluates the next highest ranked firm's cost proposal. Determining a reasonable cost is based on a comparison of proposals, project budget, prior experience, comparative project costs in neighboring cities and professional judgment. More than one vendor may be chosen if it is determined to be more cost effective.

C. Award

1. Bids not received via the City's electronic bidding system shall be submitted to the City Clerk and shall be identified as bids on the envelope. A written record and tabulation shall be made at the time all bids are received. The tabulation of all bids received shall be open to public inspection after the bid opening during regular business hours for a period of not less than 30 days after the bid opening, but shall not preclude the City Council from awarding the contract after the five (5) day protest period. Other information relating to the bids shall be available to the public in accordance with the Public Records Act.
2. Bids received on the City's electronic bid system shall be opened by the Purchasing after the stated deadline for bids to be received. A written record and tabulation shall be made and retained by each Department Head. The tabulation of all bids received shall be open to public inspection after the bid opening during regular business hours for a period of not less than 30 days after the bid opening, but shall not preclude the City Council from awarding the contract after the five (5) day protest period. Other information relating to the bids shall be available to the public in accordance with the Public Records Act.
3. Evaluation/Selection Committee. The initiating Purchasing Officer shall propose a selection committee. Any individual or entity that has an interest in one or more of the entities submitting a proposal shall recuse themselves from the selection process or from the selection committee. The committee will rank the candidates based on the evaluation criteria and come to a consensus of the top candidate. Details about one proposal cannot be revealed to the other proposers.
4. Award shall be made to the responsible vendor whose proposal is determined in writing to be the most advantageous to the City, taking into consideration the evaluation factors, including price, set forth in the RFP. No other factors or criteria shall be used in the evaluation. The contract file shall contain the basis on which the award is made.

5. The initiating Purchasing Officer shall submit the staff report to the City Council requesting approval to award the contract to the most qualified, responsible bidder. Prior to the submittal of the item to the City Manager's office for placement on the City Council Agenda, the initiating Purchasing Officer shall obtain the appropriate purchasing, fiscal, and legal review of the contract.
 6. The City Council may award a contract or reject all bids. Rejection may be in whole or in part of a bid, if permitted by the Bid Specifications. If two or more bids are received for the same total amount (quality and service being equal), and if the Council finds that the public interest will be furthered, the Council may accept the bid it chooses or proceed by negotiation, unless prohibited by law.
- D. Appeals. Any interested party may file a protest regarding the procurement decisions authorized under this chapter. The appeal process shall be pursuant to that set forth in Section 3.32.260 of this Chapter. An interested party who fails to file a protest within the times waives any right to protest the issue further.
 - E. Determination of Non-responsibility; Non-responsiveness, Cancellation of Invitations; Bonds. The provisions set forth in Section 3.32.260 of this Chapter relating to Determination of Non-responsibility, Non-responsiveness, Cancellation of Invitations and Bonds, shall apply to the RFP process.
 - F. Request for Qualifications. The Purchasing Officer may distribute a request for qualifications ("RFQ") before initiation of the RFP process. An RFQ may include a general description of the qualifications desired and the services to be procured, shall state where forms and further information may be obtained, and the time and place for the delivery of responses. Public notice of the RFQ shall be posted at least ten (10) calendar days prior to the date set for the delivery of responses. The notice shall be published at least once in a newspaper of general circulation in the City or in at least three (3) public places in the City.

3.32.280 – Exceptions to the Competitive Processes

The competitive processes identified in Sections 3.32.260 and 3.32.270 shall not apply in the following circumstances.

- A. Emergency. A Purchasing Officer may make emergency purchases of goods, procurement of services, or undertake public construction, without following the competitive process in this Chapter when there exists an immediate, substantial and verifiable threat to public health, welfare, or safety, or when a local emergency has been declared or proclaimed in accordance with the provision of Chapter 2.44 of the Perris Municipal Code provided that such emergency purchases shall be made with such competition as is practicable under the circumstances. A written determination of the basis for the emergency purchase or procurement, and for the selection of the particular vendor or contractor shall be included in the contract file. For contracts other than for public projects in the amount of Thirty Thousand Dollars (\$30,000) or less, or for public project contracts in the amount of Forty-Five Thousand Dollars (\$45,000) or less, this determination shall be made by the City Manager. For contracts for other than public projects in the amount of more than Thirty Thousand Dollars (\$30,000), or for public projects contracts in the amount of Forty-Five Thousand Dollars (\$45,000), the City Manager shall provide a report to the City Council after the emergency condition has

passed or subsided of the basis for the emergency purchase or procurement, and for the selection of the particular vendor or contractor. The City Council may ratify the contract following a determination that the emergency purchase or procurement was warranted.

- B. Sole or limited source. Unique commodities and services which can be obtained from only one vendor or one distributor authorized to do business in the State of California, with singular characteristics or performance capabilities or which have specific compatibility components with existing City products are exempt from the competitive bidding requirements set forth in this Chapter and are deemed sole source purchases. Sole source purchases may include proprietary items sold direct from the manufacturer. All sole source purchases shall be supported by written documentation indicating the facts and nature supporting the determination of a sole source, signed by the appropriate Department Head and forwarded to the Finance Department. As with any other purchase, staff must establish facts indicating the anticipated cost is fair and reasonable. A contract may be awarded without competition when the Purchasing Officer determines in writing, after conducting a good faith review of available sources, that there is only one source for the required goods, service, or construction item. For contracts other than public projects in the amount of Thirty Thousand Dollars (\$30,000) or less, or for public projects in the amount of Forty-Five Thousand Dollars (\$45,000) or less, this determination shall be made by the City Manager. For contracts other than public projects in the amount of more than Thirty Thousand Dollars (\$30,000), or for public projects in the amount of Forty-Five Thousand Dollars (\$45,000), this determination shall be made by the City Council. The City Manager or his/her designee shall conduct negotiations, as appropriate, as to price, delivery, and terms. A statement of the basis for the sole source determination shall be placed in the contract file.
- C. Public interest. In limited and unique circumstances, competitive bidding is not required when it would be impossible, or when it would not be in the public interest. This exception may apply when the purchase is for: (1) a specialized technology product, (2) an addition to, or repair or maintenance of, existing equipment which can be more efficiently added to, repaired or maintained by a particular company or manufacturer, or (3) equipment which must be compatible with existing equipment, by reason of the training of the personnel or an inventory of existing replacement parts kept by the City. For non-public project contracts in the amount of Thirty Thousand Dollars (\$30,000) or less, or for public project contracts in the amount of Forty-Five Thousand Dollars (\$45,000) or less, this determination shall be made by the City Manager. For non-public project contracts in the amount of more than Thirty Thousand Dollars (\$30,000), or for public project contracts in the amount of Forty-Five Thousand Dollars (\$45,000), this determination shall be made by the City Council. A statement of the basis for the determination shall be placed in the contract file.
- D. Other exceptions. Contracting for trash and garbage services, and any services connected with elections is not required to follow the competitive bidding procedures.

3.32.290 – Electronic Bidding Alternative

- A. Notwithstanding any contrary provision in this code, the use of electronic media is authorized for any formal and informal bidding process pursuant to this Chapter 3.32, including without limitation submission, identification, opening and reporting of bids electronically (“electronic bidding”; “E-Bid”), provided that it be in accordance with state law and the Perris Municipal Code. Electronic bidding shall include measures as the City

deems appropriate for security of the bidding, approval and award processes and accurate retrieval or conversion of electronic information into a medium which permits inspection and copying. All electronic bids shall be submitted in a manner set forth in the notice of inviting bids and/or the bid instructions.

- B. The City may, in its sole discretion, require electronic bidding for any informal and formal bids authorized under this Chapter 3.32. If the City elects to use electronic bidding, then all bids must be submitted electronically consistent with the notice of inviting bids and/or bid instructions. If electronic bidding is not selected, then no bids may be submitted electronically.
- C. The term "mail" as used in, and other forms of written communication required under, this Chapter 3.32 includes electronic mail and facsimile.

3.32.300 – City Credit Cards

The following sections describe the purchasing policy and requirements applicable to all procurements made using credit cards issued the City. If any section of this policy is determined to conflict with state and/or federal procurement requirements, the procurement shall be deemed exempt from this policy.

3.32.305 – Introduction

Guidelines set forth herein apply whenever a City employee uses a City-issued credit card to make certain supply and service purchases on behalf of the City and pay for travel expenses when on City business.

3.32.310 – Objectives

The use of City credit cards in lieu of other payment options is intended to:

- A. Reduce procurement and payment processing costs.
- B. Improve vendor relations by making “doing business” with the City easier.
- C. Enhance internal control by better identifying specific employees making minor supply and service purchases on behalf of the City, and improving the accuracy of account distributions between programs and projects.
- D. Take advantage of cost-saving opportunities by purchasing on the Internet and through catalogs.

3.32.315 – Up-Front Authority

The purchasing authority is designed to be “up front.” The City cardholder is delegated the authority to purchase certain supplies and equipment within specified dollar amounts for business related purposes for the City.

3.32.320 – Overview

- A. Although it is not required, City employees are encouraged to make purchases from vendors who provide government discounts when using City credit cards.
- B. The City’s Credit Cards that are available for check-out are issued in the City’s name. The City Manager may approve a City Credit Card to be issued in an employee’s name.
- C. Authorization to check-out a City Credit Card must be obtained from the Department Head and presented to the Finance Department.
- D. Each employee issued a Credit Card or checks out a City Credit Card is responsible for the security of the card and all transactions associated with it.
- E. The City’s Credit Cards may be used for in-store purchases, mail, telephone, and internet or fax orders.
- F. Transaction limits are established and authorized by each Department Head and

approved by the Finance Director or Accounting Manager. At the time of check-out, Finance staff will electronically adjust the credit card limit according to the Department Head's approved amount.

- G. The City's competitive bidding standards apply to all types of payment methods, including credit card purchases. Unless otherwise authorized by the City Manager or a designee, individual credit card purchases shall not exceed \$5,000.
- H. All check-out cards must be returned to the Finance Department by 6:00 p.m. of the day of check-out, unless otherwise authorized by the Finance Director.

3.32.325 – Definitions

- A. A Cardholder is defined as a City staff member approved by his/her Department Head to execute transactions on behalf of the City and/or whose name appears on the Credit Card.
- B. Supporting Documentation is defined as a merchant-produced original record of the relevant details for each item purchased including but not limited to quantity, amount, and vendor name and address.

3.32.330 – Authorized Cardholders (Non Check-Out Cards)

- A. The Finance Director shall cause to be issued to the City Manager a credit card with a \$5,000 limit to be used for City business expenditures only.
- B. Subject to the City Manager's discretion, Department Heads and non-limited service employees may be issued a credit card with a limit designated by the City Manager to be used for City business expenditures only.

3.32.335 – Cardholder Responsibilities

- A. Each cardholder must activate the City's Credit Card before use by following the instructions that come with the card.
- B. Each cardholder shall be responsible for obtaining receipts for all purchases.
- C. Credit card statements are mailed directly to the Finance Department and then distributed to each Department.
- D. Cardholders must compare each transaction to their receipts to ensure accuracy and report any discrepancies or erroneous charges to the Finance Director immediately.
- E. Proper documentation for all transactions is MANDATORY. Failure to comply with City Credit Card procedures shall result in the cancellation of the Credit Card by the Finance Director or a designee, and may result in disciplinary action against the card holder.
- F. All credit card statements and supporting documentation must be received by the Finance Department and signed by the cardholder before payment is issued.

3.32.340 – Transactions Requiring Special Documentation or Approval

- A. Credit cards may be used in paying for travel expenses on City's business and to all such

credit card payments, including the budgetary limitations and requirements for adjustments prior to the payment of an applicable expenditure.

- B. **Membership Dues.** Use of City funds for organizational memberships and dues may be permitted for memberships in organizations that provide educational or professional service value to the City. City funds may not be used to pay personal membership dues that do not provide educational or professional service value to the City. When organizational membership and dues are in question, the City staff member must consult with their supervisor.
- C. **Fuel Expenditures.** Subject to the City Manager approval, fuel should be obtained from the City's fueling facility or by the use of a City issued fuel credit card.
- D. **Special Purchases.** Purchases which appear, on their face, to be of a personal nature, must be approved, in writing and in advance by the Department Head in a manner which establishes the public purpose.

3.32.345 – Prohibited Purchases

- A. **The City Credit Card shall not be used for the following:**
 - 1. Cash advances.
 - 2. Personal services.
 - 3. Contracted services such as independent contractors, performers, consultants, speakers, attorney fees, printing services.
 - 4. Construction, renovation or installation services.
 - 5. Fuel for personal vehicles (except that it may be used for rental car gas while on official business). Personal vehicle mileage should be reimbursed by accounts payable check to those employees who do not receive a car allowance.
 - 6. Personal convenience items. This includes, but is not limited to commuting expenses, parking tickets, personal fines, gifts, entertainment, personal membership fees, personal clothing and footwear, decorative items, personal qualification expenses.
 - 7. Medical services.
 - 8. Services of sole proprietorships or individuals.
 - 9. Any purchases or transactions requiring a separate written agreement is subject to the City Manager's approval.
 - 10. Gift cards for use other than City event prize/giveaways are subject to the City Manager's approval.
- B. **Credit cards shall not be used to circumvent established competitive purchasing procedures. No purchases for goods or services shall be made in excess of \$5,000.**
- C. **Purchases for non- official City business. Personal charges must not be applied to the**

City's Credit Card. Personal charges mistakenly applied to the City Credit Card must be reimbursed to the City immediately. Violation of City Credit Card procedures may result in disciplinary proceedings up to and including termination, as well as applicable civil and/or criminal action.

3.32.400 – Petty Cash

The following sections describe the policy and requirements applicable to all procurements made using petty cash by the City. If any section of this policy is determined to conflict with state and/or federal law, state or federal law shall prevail.

3.32.405 – Introduction

A petty cash fund may be established in the Finance Department for the procurement or reimbursement of low-value supplies and services, when other methods of procurement are not readily available. Departments shall make deliberate efforts to use the normal procurement process through accounts payable, or to use City issued credit cards where possible in order to minimize petty cash disbursements.

3.32.410 – Authority

- A. The Finance Director shall determine whether to authorize the petty cash fund and establish the maximum amount of the fund. Petty cash funds shall not exceed \$1,500 in the aggregate.
- B. Petty cash funds may be used only for incidental, non-recurring or emergency purchases. The Finance Director or his/her authorized designee may approve an exception for documented justifiable reasons submitted by the Department Head having delegated expenditure decision authority.
- C. All purchases must be for authorized purposes only.
- D. The Department Head or authorized designee must review and approve in writing all petty cash disbursements.

3.32.415 – Designating a Petty Cash Custodian

- A. The Finance Director shall designate a minimum of two permanent City employees as primary and alternate petty cash custodians. The custodians should be available during working hours to issue disbursements for Department Head-approved petty cash purchases. The designation of specific responsibility for custody of petty cash funds shall be effectuated through delegations of authority and position descriptions.

The Finance Director shall ensure the designated employees are aware of City policies, and understand and receive training in internal controls and applicable rules and regulations governing the custody and control of petty cash funds.

3.32.420 – Proper Custody and Control

- A. The custodian is responsible for the custody and control of the petty cash fund; however, accountability and responsibility for the proper use and care of the fund remain with the Finance Director or authorized designee.
- B. Petty cash shall be placed in a locking cash box and secured in a safe, vault, locking file cabinet or comparable secured storage area with access restricted to authorized employees.

3.32.425 – Restrictions

- A. Change funds are established by the Finance Department for use by certain departments that have customers and must provide change. Change funds are not to be used for petty cash purchases.
- B. Under no circumstances shall petty cash funds be used to circumvent the City's purchasing policy. Petty cash disbursements will be charged to the appropriate departmental account, and must have budgeted funds available. Petty cash funds shall not be used for any unauthorized disbursement or transaction, including but not limited to:
 - 1. Payroll advances;
 - 2. Mileage reimbursements;
 - 3. Contract labor payments;
 - 4. Professional services, tutors, mentors or provider payments;
 - 5. Personal loans, IOUs or advancing cash to an employee, volunteer, personal services contractor, agent of the City, or other person;
 - 6. Cashing checks for anyone;
 - 7. Purchasing animals or paying for their care and upkeep;
 - 8. Donations;
 - 9. Personal services or personal items for an employee, volunteer, agent of the City or other person;
 - 10. Purchasing any item strictly prohibited by rule or law;
 - 11. Alcoholic beverages;
 - 12. Tobacco products;
 - 13. Controlled substances;
 - 14. Fines, penalties or other similar items.

3.32.430 – Disbursements

- A. A petty cash reimbursement request form must be completed to support all disbursements of cash from the petty cash fund. The petty cash reimbursement request form must be completed in its entirety, signature-approved and dated by a Department Head or authorized designee with delegated expenditure decision authority, and signed and dated by the custodian processing the transaction. Approved disbursements must be for authorized expenditures and be supported by appropriate original documentation, including but not limited to:
 - 1. Completed petty cash reimbursement request form;
 - 2. Purpose of the expenditure;
 - 3. Description of the goods purchased or of the services provided (entered by the vendor if a handwritten receipt is obtained, or by the purchaser if a cash register tape is issued);
 - 4. Amount of the expenditure;
 - 5. Accounting code(s) to be charged;
 - 6. Original itemized cash register receipt or sales ticket (date must be not older than seven business days). Receipts should show the name of the business where the purchase occurred;
 - 7. Signed and dated by the petty cash custodian;
 - 8. Signed and dated by the individual receiving payment;
 - 9. Signed and dated by the Department Head or authorized designee with delegated expenditure decision authority.
- B. Petty cash disbursements will not be made without proof of purchase (sales receipt slip). The receipt must be an original. Copies are not acceptable. Receipts that show evidence of alteration are not acceptable.
- C. Individual expenditures from the petty cash fund shall not exceed \$150. Expenditures exceeding \$150 shall be handled through normal accounts payable or purchasing procedures.

3.32.435 – Petty Cash Advance Before a Purchase

- A. The Department Head or authorized designee with delegated expenditure decision authority may approve petty cash advances for authorized expenditures. The custodian may not authorize petty cash advances nor be authorized as a designee with delegated expenditure decision authority.
- B. A Petty Cash Advance form must be completed and given to the custodian to place in the petty cash box. The petty cash advance request must include, but is not limited to:
 - 1. The amount of the cash advance;

2. The item(s) authorized for purchase;
 3. Dated signatures of the individual requesting the funds and the Department Head or authorized designee approving the advance;
 4. Dated signature of the petty cash custodian to indicate that the funds were advanced.
- C. Petty cash advances may not be held for more than two business days. Within one business day after the purchase is made, the original receipt and any unused funds must be returned to the petty cash custodian. The original advance form must be completed and include:
1. The actual amount of the authorized purchase;
 2. The cash amount returned, or zero if all funds were used;
 3. Dated signature of the employee who received the advance and date;
 4. Dated signature of the petty cash custodian receiving the unused cash and/or original sales receipts and date;
 5. Original itemized receipt attached to the petty cash advance form.

3.32.440 – Reconciliation

Petty cash funds are operated on an impress basis. This means receipts are obtained for all disbursements and kept with the petty cash monies. At all times, the total currency and receipts must equal the total authorized amount of the petty cash fund. A reconciliation of the petty cash fund shall be conducted on a bi-monthly basis at a minimum.

3.32.445 – Replenishing Petty Cash

- A. The petty cash fund shall be replenished in a timely basis to ensure that a sufficient amount of cash is kept on hand at all times. When the fund is reduced to a balance that requires replenishment, the custodian shall perform a reconciliation and complete the petty cash ledger. All required supporting documentation must be attached to the ledger and provided to the appropriate accounts payable personnel in the Finance Department to replenish the fund. The custodian shall submit the required documentation with a reasonable amount of lead time to allow for the normal processing of the amount to replenish the petty cash fund.
- B. Petty cash funds should be reimbursed on an as needed basis determined by the custodian.

3.32.450 – Annual Review

The Finance Director or his/her authorized designee shall conduct an annual review of all petty cash funds to assess the reasonableness of the cash balances maintained in relation to operating needs. The assessment will include a recommendation to increase, decrease, and close or retain the original amount of the petty cash fund.

3.32.455 – Cash Overage and Shortage

The Finance Director shall ensure that cash overage and shortage amounts are handled in an appropriate manner in accordance with any applicable City policies.

3.32.460 – Audit

Petty cash funds are subject to periodic audits by external auditors to ensure proper controls are maintained. The Finance Director, his/her authorized designee, and petty cash custodian shall ensure that the fund is balanced and available for audit at all times. Recurring audit findings may result in the petty cash fund being revoked.

Attachment 2

ORDINANCE NUMBER 796

AN ORDINANCE OF THE CITY COUNCIL OF PERRIS,
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA,
AMENDING CHAPTER 3.32 OF THE PERRIS MUNICIPAL
CODE RELATING TO PURCHASING AND BID PROCEDURES

WHEREAS, the City Council of the City of Perris is authorized by Sections 54202 and 54203 of the California Government code to adopt and revise regulations pertaining to purchases of supplies and equipment; and

WHEREAS, the City Council of the City of Perris has by resolution elected to become subject to the California Uniform Construction Cost Accounting Act, California Public Contract Code Sections 22000 through 22045; and

WHEREAS, as a result of that election, the City Council of the City of Perris is authorized and required by Sections 22030, et seq., of the California Public Contract Code to adopt and revise regulations pertaining to the contracting for public projects; and

WHEREAS, the City Council of the City of Perris finds that sound financial practices dictate the adoption of uniform bidding and contracting procedures for supplies, equipment and public projects;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Perris as follows:

SECTION 1. Chapter 3.32 of the Perris Municipal Code is hereby amended to read as follows:

Chapter 3.32

PURCHASING SYSTEM AND INFORMAL BID PROCEDURES

Sections:

- 3.32.010 Adopted.
- 3.32.020 Department created.
- 3.32.030 Purchasing officer--Office created.
- 3.32.040 Purchasing officer--Powers and duties.
- 3.32.050 Exemptions.
- 3.32.060 Estimates.
- 3.32.070 Requisitions.

- 3.32.080 Bidding.
- 3.32.090 Purchase orders.
- 3.32.100 Encumbrance of funds.
- 3.32.110 Inspection and testing.
- 3.32.120 Surplus supplies and equipment.
- 3.32.200 Bid contract officer--Office created.
- 3.32.210 Purchasing officer and bid contract officer--Powers and duties.
- 3.32.220 Coordination of offices.
- 3.32.230 Public projects--Defined.
- 3.32.240 Adoption of plans--Public projects.
- 3.32.250 Splitting work orders.
- 3.32.260 Trade journal list--Public projects.
- 3.32.270 Contractors list--Public projects.
- 3.32.280 Purchasing procedures--Public projects under \$15,000.
- 3.32.290 Informal bid procedures--Public projects.
- 3.32.300 Formal bid procedures--Public projects.
- 3.32.310 Emergencies--Public projects.
- 3.32.320 Purchases of Equipment, supplies, and contractual services of under \$5,000.
- 3.32.330 Informal bid procedures--Supplies, equipment, and contractual services.
- 3.32.340 Formal bid procedures--Supplies, equipment, and contractual services.
- 3.32.350 Exceptions--Supplies, equipment, and contractual services.

3.32.010 Adopted. In order to establish efficient procedures for the purchase of supplies, services and equipment, to secure for the city supplies, services and equipment at the lowest possible cost commensurate with quality needed, to exercise positive financial control over purchases, to clearly define authority for the purchasing function and to assure the quality of purchases, a purchasing system is adopted.

3.32.020 Department created. There is created a centralized purchasing department, in which is vested authority for the purchase of supplies, services and equipment.

3.32.030 Purchasing officer--Office created. There is created the position of purchasing officer. He shall be appointed by the city manager. The purchasing officer shall be the head and have general supervision of the purchasing department. The duties of purchasing officer may be combined with those of any other office or position.

3.32.040 Purchasing officer--Powers and duties. The purchasing officer shall have the authority to:

A. Purchase or contract for supplies, services and equipment required by any using agency or department in accordance with purchasing procedures prescribed by this chapter, such administrative regulations as the purchasing officer shall adopt for the internal management and operation of the purchasing department and such other rules and regulations as shall be prescribed by the city council or city manager;

B. Negotiate and recommend execution of contracts for the purchase of supplies, services and equipment;

C. Act to procure for the city the needed quality in supplies, services and equipment at least expense to the city;

D. Discourage uniform bidding and endeavor to obtain as full and open competition as possible on all purchases;

E. Prepare and recommend to the city council rules governing the purchase of supplies, services and equipment for the city;

F. Prepare and recommend to the city council revisions and amendments to the purchasing rules;

G. Keep informed of current developments in the field of purchasing, prices, market conditions and new products;

H. Prescribe and maintain such forms as reasonably necessary to the operation of this chapter and other rules and regulations;

I. Supervise the inspection of all supplies, services and equipment purchased to insure conformance with specifications;

J. Recommend the transfer of surplus or unused supplies and equipment between agencies or departments as needed and the sale of all supplies and equipment which cannot be used by any agency or which become unsuitable for city use;

K. Maintain a bidder's list, vendor's catalog file and records needed for the efficient operation of the purchasing department.

3.32.050 Exemptions. The purchasing officer, with approval of the city council, may authorize in writing any agency or

department to purchase or contract for specified supplies, services and equipment independently of the purchasing department, but shall require that such purchases or contracts be made in conformity with the procedures established by this chapter and shall further require periodic reports from the agency or department on the purchases and contracts made under such written authorization.

3.32.060 Estimates. All using agencies or departments shall file detailed estimates of their requirements in supplies, services and equipment in such manner, at such time and for such future periods as the purchasing officer shall prescribe.

3.32.070 Requisitions. Using agencies or departments shall submit requests for supplies, services and equipment to the purchasing officer by standard requisition forms as established by the purchasing officer.

3.32.080 Bidding. Purchases of supplies, services equipment, the sale of personal property and public work projects shall be by bid procedures pursuant to Sections 3.32.200 et seq.

3.32.090 Purchase Orders. Purchases of supplies, services and equipment shall be made by policies and procedures established by the purchasing officer.

3.32.100 Encumbrance of funds. Except in cases of emergency, the purchasing officer shall not issue any purchase order for supplies, services or equipment unless there exists an unencumbered appropriation in the fund account against which such purchase is to be charged.

3.32.110 Inspection and testing. The purchasing officer or designee shall inspect supplies and equipment delivered and contractual services performed to determine their conformance with the specifications set forth in the order or contract. The purchasing officer shall have the right to waive any defect or informality. The purchasing officer shall have the authority to require chemical and physical tests of samples, submitted with bids and samples of deliveries which are necessary to determine their quality and conformance with specification.

3.32.120 Surplus supplies and equipment. All using agencies or departments shall submit to the purchasing officer, at such times and in such forms as he shall prescribe, reports showing all supplies and equipment no longer used or which have become obsolete or worn out. The purchasing officer shall have authority to sell all supplies and equipment which cannot be used by any agency or department or which have become unsuitable for city use or to exchange the same or to trade in the same on new supplies and equipment. Such sales shall be pursuant to Sections 3.32.200 et seq.

3.32.200 Bid contract officer--Office created. There is created the position of bid contract officer who shall be the city clerk.

3.32.210 Purchasing officer and bid contract officer--Powers and duties. A. The purchasing officer shall have the authority to prepare and recommend to the city council revisions and amendments to the purchasing rules. B. The bid contract officer shall have the authority to:

1. Discourage uniformed bidding and endeavor to obtain as full and open competition as possible on all purchases;
2. Prescribe and maintain such forms as reasonable and necessary to the operation of bid procedures and of the rules and regulations;
3. Maintain a bidders list and such other records as needed for the effective and legal operation of bid procedures; and
4. Supervise and perform all duties and obligations required by the city in connection with initiating and conducting bidding procedures.

3.32.220 Coordination of offices. The purchasing officer and the bid contract officer shall coordinate their work in order to efficiently operate bidding procedures in connection with the purchases of supplies, services and equipment. All requests for purchases of supplies, services and equipment made by city agencies and departments shall be first directed to the purchasing officer. The purchasing officer shall then forward such requests of the agency or department to the bid contract officer.

3.32.230 Public Projects--Defined.

(a) For purpose of this Code, "public project" means any of the following:

(1) Construction, reconstruction, erection, alteration, renovation, improvement, demolition, and repair work involving any publicly owned, leased, or operated facility.

(2) Painting or repainting of any publicly owned, leased, or operated facility.

(b) "Public project" does not include maintenance work. For purposes of this section, "maintenance work" includes all of the following:

(1) Routine, recurring, and usual work for the preservation or protection of any publicly owned or publicly operated facility for its intended purposes.

(2) Minor repainting.

(3) Resurfacing of streets and highways of less than one inch.

(4) Landscape maintenance, including mowing, watering, trimming, pruning, planting, replacement of plants and servicing of irrigation and sprinkler systems.

(5) Work performed to keep, operate, and maintain publicly owned water, power, or waste disposal systems, including, but not limited to, dams, reservoirs, power plants, and electrical transmission lines of 230,000 volts and higher.

(c) For purposes of this section, "facility" means any plant, building, structure, ground facility, utility system, real property, streets and highways, or other public work improvement.

3.32.240 Adoption of Plans and Bidding--Public Projects.

(a) The City Council shall adopt all plans, specifications, and working details for all public projects of more than \$50,000.

(b) The City Council shall approve all formal bidding activity for public projects of more than \$50,000 prior to the mailing of notices inviting bids.

(c) The City Council shall have authority to require a performance bond before entering a contract in such amount as it shall find reasonable and necessary to protect the best interests of the City. If the City Council requires a performance bond, the amount of the bond shall be described, in the notice inviting bids, and its form shall be as determined by the City Attorney.

3.32.250 Splitting work orders. Public work projects shall not be split into smaller work orders or projects for the purpose of abating the provisions of this chapter requiring public work to be done by contract after competitive bidding.

3.32.260 Trade Journal List--Public Projects. A list of qualified trade journals, identified according to categories of work, shall be developed and maintained in accordance with the provisions of Section 22036 of the Public Contract Code.

3.32.270 Contractors List--Public Projects. A list of qualified contractors, identified according to categories of work, shall be developed and maintained in accordance with the provisions of Section 22034 of the Public Contract Code and criteria promulgated from time to time by the California Uniform Construction Cost Accounting Commission.

3.32.280 Purchasing Procedures--Public Projects Under \$15,000. Public projects of Fifteen Thousand Dollars (\$15,000) or less may be performed by the employees of the City by force account, by negotiated contract, or by purchase order.

3.32.290 Informal Bid Procedures--Public Projects. Public projects of Fifty Thousand Dollars (\$50,000) or less may be let to contract by the informal procedures set forth herein.

(a) The bid contract officer shall mail notices inviting informal bids. The notices shall be mailed to all qualified contractors on the list maintained pursuant to Section 3.32.270 as well as to all construction trade journals on the list maintained pursuant to Section 3.32.260, unless the product or service is proprietary.

(b) The notices shall be mailed not less than ten (10) calendar days before the opening date of the bids. The notices shall describe the project in general terms, how to obtain more detailed information about the project, and state the time and place for the submission of bids.

(c) The purchasing officer, bid contract officer, and director of public works are authorized to award informally bid contracts and orders pursuant to this section upon City Council authority. Orders shall be awarded to the lowest responsible bidder.

(d) Bids shall be submitted to the bid contract officer who shall keep a record of all informal orders and bids for a period of one (1) year after placement of the order. This record, while so kept, shall be open to public inspection.

3.32.300 Formal Bid Procedures--Public Projects. Public projects of greater than Fifty Thousand Dollars (\$50,000) must be let to contract by the formal procedures set forth herein.

(a) The bid contract officer shall mail notices inviting formal bids. The notices shall be mailed to all qualified contractors on the list maintained pursuant to Section 3.32.270 as well as to all construction trade journals on the list maintained pursuant to Section 3.32.260 unless the product or service is proprietary.

(b) The notices shall be mailed no later than thirty (30) calendar days before the opening date of the bids. The notices shall distinctly describe the project and state the time and place for submission of bids.

(c) The notice inviting bids shall be published at least fourteen (14) days before the opening date of the bids. Notice shall be published at least twice, not less than five (5) days apart, in a newspaper of general circulation, printed and published in the City, or, if there is none, it shall be posted in at least three (3) public places in the City that have been designated by Ordinance as the places for placing public notices.

(d) The bid contract officer shall also post a notice of pending public work projects on a public bulletin board in the Civic Center.

(e) Sealed bids shall be submitted to the bid contract officer (city clerk) and shall be identified as bids on the envelope. Bids shall be opened in public by the city clerk or designee at the time and place stated in the public notices. A tabulation of all bids shall be open for public inspection during regular business hours for a period of not less than thirty (30) calendar days after the bid opening.

(f) All bidders on public construction projects shall be required to provide bidder's security. The bidder's security

shall be an amount equal to ten percent (10%) of the amount of the bid or as prescribed in the public notice inviting bids. The bidder's security shall be in one of the following forms:

- (1) Cash;
- (2) Cashier's check made payable to the City;
- (3) Certified check made payable to the City; or
- (4) Bidder's bond executed by an admitted surety insurer, made payable to the City.

The cash or proceeds shall be deposited in a fund out of which the expenses of preparation and printing of the plans and specification, estimate of cost, and publication of notice are paid. Bidders shall be entitled to return of bid security; provided, that a successful bidder shall forfeit his bid's security upon refusal or failure to execute the contract within ten (10) days after the notice of award of contract has been mailed, unless the City is responsible for the delay. The City Council may, on refusal or failure of a successful bidder to execute the contract, award the contract to the next lowest responsible bidder. If the City Council awards the contract to the next lowest bidder, the amount of the lowest bidder's security shall be applied by the City to the difference between the low bid and the second lowest bid and the surplus, if any, shall be returned to the lowest bidder.

(g) Contracts shall be awarded by the City Council to the lowest responsible bidder except as otherwise provided in this Chapter. The decision of the City Council shall be final.

(h) In its discretion, the City Council may reject any bids presented, abandon the project or readvertise. After rejecting the bids submitted, the City Council may adopt a resolution by a four-fifths majority declaring that the project can be performed more economically by employees of the City, and may have the project done by force account without further complying with this section.

(i) If two or more bids received are the same and lowest, the City Council may accept the one it chooses.

(j) If no bids are received, the project may be performed by employees of the City by force account, or by the informal procedures set forth in Section 3.32.290.

(k) The City Council shall have the right to waive any defect or informality in the bidding or in the procedures set forth in this section. No defect or informality shall void any contract entered into.

3.32.310 Emergencies--Public Projects. In cases of great emergency, as determined by the City Council, including but not limited to, states of emergency as defined in Section 8558 of the Government code, when repair or replacements are necessary to permit the continued conduct of the operation or services of a public agency or to avoid danger to life or property, the City Council, by majority vote, may proceed at once to replace or repair any public facility without adopting plans, specifications, strain sheets, or working details or giving notice for bids to let contracts. The work may be done by day labor under the direction of the City Council, by contract, or a combination of the two. The City Council by majority vote, may delegate to the City Manager the power to declare a public emergency subject to confirmation of the City Council, by a four-fifths vote, at its next meeting.

3.32.320 Purchases of Equipment, Supplies, and Contractual Services of Under \$5,000. Purchases of supplies, equipment, contractual services, and sales of surplus property of an estimated value of Five Thousand Dollars (\$5,000) or less may be made by the purchasing officer in the open market. Requests and purchases shall be made on forms prescribed and provided by the purchasing officer (material requisition forms and purchase orders).

3.32.330 Informal Bid Procedures--Supplies, Equipment, and Contractual Services. Purchases of supplies, equipment, contractual services, and sales of surplus property, of an estimated value of Five Thousand Dollars (\$5,000) or more and less than Twenty Thousand Dollars (\$20,000) shall be made by informal bid procedures as described herein.

(a) The bid contract officer shall solicit bids by telephone or written request to prospective vendors.

(b) Informal bid purchases shall be based on at least three (3) bids unless the product or service is proprietary. The order shall be awarded to the lowest responsible bidder, consistent with quality and delivery requirements.

(c) The purchasing officer and bid contract officer are each authorized to award contracts and orders pursuant to this section.

(d) Bids shall be submitted to the bid contract officer who shall keep a record of all informal orders and bids for a period of one (1) year after placement of the order. This record, while so kept, shall be open to public inspection.

3.32.340 Formal Bid Procedures--Supplies, Equipment, and Contractual Services. Purchases and contracts for supplies, services, equipment and the sale of surplus property of estimated value greater than Twenty Thousand Dollars (\$20,000) shall be let by the formal procedures set forth herein.

(a) The bid contract officer shall mail notices inviting formal bids. The notices shall be mailed to all qualified vendors on the bid list or who have requested their name to be added thereto unless the product or service is proprietary.

(b) The notices shall be mailed no later than ten (10) calendar days before the opening date of the bids. The notices shall describe the commodities or services in general terms, how to obtain more detailed information, and state the time and place for submission of bids.

(c) The notice inviting bids shall be published at least ten (10) calendar days before the date of opening of the bids. Notice shall be published in a newspaper of general circulation, printed and published in the City, or, if there is none, it shall be posted in at least three (3) public places in the city that have been designated by Ordinance as the places for placing public notices.

(d) The bid contract officer shall also post a notice of pending purchases or sales on a public bulletin board in the Civic Center.

(e) Sealed bids shall be submitted to the bid contract officer (city clerk) and shall be identified as bids on the envelope. Bids shall be opened in public by the city clerk or designee at the time and place stated in the public notices. A tabulation of all bids shall be open for public inspection during regular business hours for a period of not less than thirty (30) calendar days after the bid opening.

(f) Contracts shall be awarded by the City Council to the lowest responsible bidder except as otherwise provided in this Chapter. The decision of the City Council shall be final.

(g) In its discretion, the City Council may reject any bids presented, abandon the purchase or readvertise. After rejecting the bids submitted, the City Council may either readvertise or adopt a resolution by a four-fifths majority declaring that the materials or supplies can be furnished at a lower price in the open market and may award the contract in the open market without further complying with this section.

(h) If two or more bids received are the same and lowest, the City Council may accept the one it chooses.

(i) If no bids are received, the contract may be let in the open market, or by the informal procedures set forth in Section 3.32.330.

(j) The City Council shall have the right to waive any defect or informality in the bidding or in the procedures set forth in this section. No defect or informality shall void any contract entered into.

3.32.350 Exceptions - Supplies, Equipment, and Contractual Services. The bid procedures set forth in 3.32.330 and 3.32.340 need not be followed in situations determined by the purchasing officer to constitute an emergency or when the commodity or service is proprietary, or for the contracting of professional services (e.g., attorneys, architects, or engineers), or for the contracting for trash and garbage service, or for public relations services, or for services connected with elections, or for other similar commodities and services as determined by the purchasing officer.

SECTION 2. The Mayor shall sign and the City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same to be published and posted pursuant to the provisions of law in that regard, and this Ordinance shall take effect thirty (30) days after its final passage.

ADOPTED, SIGNED and APPROVED this 28th day of August, 1989.


MAYOR OF THE CITY OF BERRIS

Attest:


City Clerk

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss
CITY OF PERRIS)

I, *Beti An Hynes*, City Clerk of the City of Perris do hereby certify that the foregoing Ordinance Number 796 was introduced at a Regular Meeting held on August 14, 1989, and adopted by the City Council of the City of Perris at a Regular Meeting held on the 28th day of August, 1989, by the following called vote:

Ayes: *Borgia, Jenkins, Wilson and McHenry*
Noes: *None*
Absent: *Washington*



City Clerk

Attachment 3

ORDINANCE NUMBER 923

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS AMENDING CHAPTER 3.32 OF THE PERRIS MUNICIPAL CODE TO INCREASE DOLLAR AMOUNTS REGARDING PUBLIC PROJECTS IN ACCORDANCE WITH STATE LAW AND TO AUTHORIZE LOCAL PREFERENCE FOR REDEVELOPMENT PROJECTS

WHEREAS, Chapter 3.32 of the Perris Municipal Code (the "Code") provides procedures for the contracting of public projects within the City of Perris (the "City"); and

WHEREAS, Public Contract Code Section 22032 has been amended to increase the dollar amounts which are used to determine the procedures for awarding public contracts; and

WHEREAS, the City Council of the City of Perris (the "City Council") has determined that the relevant sections of Chapter 3.32 of the Perris Municipal Code should be amended to reflect the increased amounts found in Public Contract Code Section 22032; and

WHEREAS, Public Contract Code Section 20688.2 authorizes a city to contract work, without competitive bids, on projects undertaken by a redevelopment agency not exceeding \$5,000 and in contracting for such work may give priority to local residents in redevelopment areas; and

WHEREAS, the City Council has determined that the Perris Municipal Code should be amended to include a provision that local residents may be given preference in contracting for work on redevelopment projects not exceeding a cost of \$5,000;

NOW, THEREFORE, the City Council of the City of Perris hereby ordains as follows:

SECTION 1. Section 3.32.280 of the Perris Municipal Code is hereby amended to read as follows:

"Section 3.32.280 Public projects under twenty-five thousand dollars.

Public projects of twenty-five thousand dollars or less may be performed by the employees of the City by force account, by negotiated contract, or by purchase order."

SECTION 2. Section 3.32.290 of the Perris Municipal Code is hereby amended to read as follows:

"Section 3.32.290 Informal bid procedures--Public projects.

Public projects of seventy-five thousand dollars or less may be let to contract by the informal procedures set forth herein.

A. The bid contract officer shall mail notices inviting informal bids. The notices shall be mailed to all qualified contractors on the list maintained pursuant to Section 3.32.270 as well as to all construction trade journals on the list maintained pursuant to Section 3.32.260, unless the product or service is proprietary.

B. The notices shall be mailed not less than ten calendar days before the opening date of the bids. The notices shall describe the project in general terms, how to obtain more detailed information about the project, and state the time and place for the submission of bids.

C. The purchasing officer, bid contract officer, and director of public works are authorized to award informally bid contracts and orders pursuant to this section upon City Council

authority. Orders shall be awarded to the lowest responsible bidder.

D. Bids shall be submitted to the bid contract officer who shall keep a record of all informal orders and bids for a period of one year after placement of the order. This record, while so kept, shall be open to public inspection."

SECTION 3. Section 3.32.300 of the Perris Municipal Code is hereby amended to read as follows:

"Section 3.32.300 Formal bid procedures--Public projects.

Public projects of greater than seventy-five thousand dollars must be let to contract by the formal procedures set forth herein.

A. The bid contract officer shall mail notices inviting formal bids. The notices shall be mailed to all qualified contractors on the list maintained pursuant to Section 3.32.270 as well as to all construction trade journals on the list maintained pursuant to Section 3.32.260 unless the product or service is proprietary.

B. The notices shall be mailed no later than thirty calendar days before the opening date of the bids. The notices shall distinctly describe the project and state the time and place for submission of bids.

C. The notice inviting bids shall be published at least fourteen days before the opening date of the bids. Notice shall be published at least twice, not less than five days apart, in a newspaper of general circulation, printed and published in the City, or, if there is none, it shall be posted in at least three public places in the City that have been designated by ordinance as the places for placing public notices.

D. The bid contract officer shall also post a notice of pending public work projects on a public bulletin board in the civic center.

E. Sealed bids shall be submitted to the bid contract officer (City Clerk) and shall be identified as bids on the envelope. Bids shall be opened in public by the City Clerk or designee at the time and place stated in the public notices. A tabulation of all bids shall be open for public inspection during regular business hours for a period of not less than thirty calendar days after the bid opening.

F. All bidders on public construction projects shall be required to provide bidder's security. The bidder's security shall be an amount equal to ten percent of the amount of the bid or as prescribed in the public notice inviting bids. The bidder's security shall be in one of the following forms:

1. Cash;
2. Cashier's check made payable to the City;
3. Certified check made payable to the City; or
4. Bidder's bond executed by an admitted surety insurer, made payable to the City.

The cash or proceeds shall be deposited in a fund out of which the expenses or preparation and printing of the plans and specification, estimate of cost, and publication of notice are paid. Bidders shall be entitled to return of bid security; provided, that a successful bidder shall forfeit his bid's security upon refusal or failure to execute the contract within ten days after the notice of award of contract has been mailed, unless the City is responsible for the delay. The City Council may, on refusal or failure of a successful bidder to execute the contract, award the contract to the next lowest responsible bidder. If the City Council awards the contract to the next lowest bidder, the amount of the lowest bidder's security shall be applied by the City

to the difference between the low bid and the second lowest bid and the surplus, if any, shall be returned to the lowest bidder.

G. Contracts shall be awarded by the City Council to the lowest responsible bidder except as otherwise provided in this chapter. The decision of the City Council shall be final.

H. In its discretion, the City Council may reject any bids presented, abandon the project or readvertise. After rejecting the bids submitted, the City Council may adopt a resolution by a four-fifths majority declaring that the project can be performed more economically by employees of the City, and may have the project end by force account without further complying with this section.

I. If two or more bids received are the same and lowest, the City Council may accept the one it chooses.

J. If no bids are received, the project may be performed by employees of the City by force account, or by the informal procedures set forth in Section 3.32.290.

K. The City Council shall have the right to waive any defect or informality in the bidding or in the procedures set forth in this section. No defect or informality shall void any contract entered into."

SECTION 4. Section 3.32.305 is hereby added to the Perris Municipal Code to read as follows:

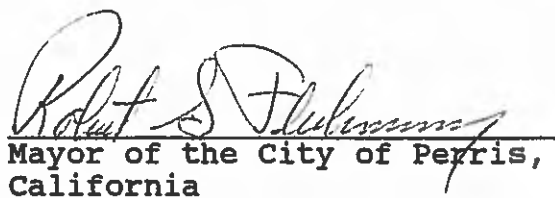
Section 3.32.305 Local preference for redevelopment projects.

Any work of grading, clearing, demolition, or construction undertaken by a redevelopment agency which is not in excess of \$5,000 may be contracted without competitive bids, and in

contracting such work the City may give priority to the residents of the redevelopment project area.


SECTION 5. The Mayor shall sign and the City Clerk shall certify to the passage and adoption of this ordinance and shall cause the same to be published and posted pursuant to the provisions of law in this regard, and this ordinance shall take effect thirty (30) days after its passage.

ADOPTED, SIGNED and APPROVED this 27th day of July, 1992.



Mayor of the City of Perris,
California

ATTEST:




City Clerk of the City of Perris,
California

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss
CITY OF PERRIS)

I, Beti An Hynes, duly elected City Clerk of the City of Perris, do hereby certify that the foregoing Ordinance Number 923, was introduced at a Regular Meeting held on 13 July 1992, and adopted by the City Council of the City of Perris at a Regular Meeting held on the 27th day of July, 1992 by the following called vote:

Ayes: Leibold, Baitinger, Torres, Fletcher and Fliemann
Noes: None
Absent: None



City Clerk

Attachment 4

ORDINANCE NUMBER 967

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS AMENDING CHAPTER 3.32 OF THE PERRIS MUNICIPAL CODE BY AMENDING SECTION 3.32.240 (a) INCREASING DOLLAR AMOUNTS FOR CITY COUNCIL ADOPTION OF PLANS AND SPECIFICATIONS FOR PUBLIC PROJECTS, AMENDING SECTION 3.32.330 (a) THE SOLICITATION OF INFORMAL BIDS--SUPPLIES, EQUIPMENT, AND CONTRACTUAL SERVICES, AND ADDING SECTION 3.32.245 TO EXTEND LOCAL PREFERENCE TO VENDORS AND SUPPLIERS

WHEREAS, Chapter 3.32 of the Perris Municipal Code (the "Code") provides procedures for the contracting of public projects within the City of Perris (the "City"); and

WHEREAS, Public Contract Code Section 22032 has been amended to increase the dollar amounts which are used to determine the procedures for awarding public contracts; and

WHEREAS, the City Council of the City of Perris adopted Ordinance 923 to amend the relevant sections of 3.32 of the Perris Municipal Code to reflect the increased amounts found in Public Contract Code Section 22032; and

WHEREAS, the dollar amount for City Council adoption of Public Project plans and specifications was not amended to reflect the increased amount of \$75,000; and

WHEREAS, the Bid Contract Officer has determined that vendors and suppliers would benefit from broader noticing proceedings for the solicitation of informal bids for supplies and equipment; and

WHEREAS, the City Council of the City of Perris has determined that the Perris Municipal Code be amended to include a provision that local vendors and suppliers be given preference for the amount of sales taxes paid to the City of Perris for bids pertaining to supplies and equipment.

NOW, THEREFORE, the City Council of the City of Perris hereby ordains as follows:

SECTION 1. Section 3.32.240 (a) of the Perris Municipal Code is hereby amended to read as follows:

A. The City Council shall adopt all plans, specifications, and working details for all public projects of more than seventy-five thousand dollars.

SECTION 2. Section 3.32.330 (a) of the Perris Municipal Code is hereby amended to read as follows:

A. The Bid Contract Officer shall solicit bids by written requests, by telephone, by fax, or by public notice posted on a public bulletin board at the Civic Center to prospective vendors.

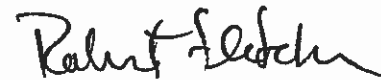
SECTION 3. Section 3.32.345 is hereby added to the Perris Municipal Code to read as follows:

Section 3.32.345 Local Preference -- Sales Tax.

For the purchase of supplies and equipment, the City, in order to promote the economic health of the City and to encourage local participation in the procurement process, may take into consideration the sales tax which would be returned to the City as a result of the award in determining the lowest responsible bidder.

SECTION 4. The City Clerk shall certify to the adoption of this ordinance and cause it, or a summary of it, to be published once in a newspaper of general circulation within the City of Perris.

ADOPTED, SIGNED and APPROVED this 13th day of September, 1993.



MAYOR OF THE CITY OF PERRIS

Attest:


City Clerk

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss
CITY OF PERRIS)

I, Beti An Hynes, duly elected City Clerk of the City of Perris, California, do hereby certify that the foregoing Ordinance Number 967 was introduced at a regular meeting held the 30th day of August, 1993, and adopted by the City Council at a regular meeting held the 13th day of September, 1993, by the following called vote:

Ayes: Leibold, Torres, Fliehm and Fletcher
Noes: None
Absent: Baitinger


CITY CLERK

Attachment 5

ORDINANCE NO. 1227

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
PERRIS AMENDING MUNICIPAL CODE CHAPTER 3.32
RELATED TO THE PURCHASING AND DISPOSAL OF
EQUIPMENT AND SUPPLIES**

WHEREAS, pursuant to Sections 54202 and 54203 of the California Government Code, the City Council of the City of Perris ("City Council") has adopted regulations pertaining to the purchases of supplies and equipment; and; and

WHEREAS, Perris Municipal Code Chapter 3.32, among other items, sets forth procedures related to the purchasing of supplies and equipment and disposal of surplus supplies and equipment; and;

WHEREAS, the City Council through its adoption of ordinances, resolutions and Chapter 3.32 of the Municipal Code has established regulations governing the purchasing and disposing of supplies and equipment; and

WHEREAS, the City Council desires to revise certain of said regulations to permit the purchasing of supplies and equipment at auctions and to increase certain of the dollar limitations in Chapter 3.32 which have not been updated for over fifteen years; and

WHEREAS, the City Council desires, pursuant to Government Code Section 37350, to permit the City to dispose of surplus supplies and equipment for the common benefit without the requirement of a bidding procedure; and

WHEREAS, said changes will enable the City to carry out its purchasing powers in a more efficient and cost-effective manner; and

NOW, THEREFORE, the City Council of the City of Perris does ordain as follows:

Section 1. Recitals Incorporated. The foregoing recitals are true and correct and incorporated herein by reference.

Section 2. Amendments to Chapter 3.32, Section 3.32.050 of the Perris Municipal Code. Section 3.32.050 of the Perris Municipal Code is hereby deleted and replaced in its entirety as set forth below:

"3.32.050 Exemptions. The following items are exempt from the provisions of this Chapter to the extent described herein:

A. The purchasing officer, with approval of the city council, may authorize in writing any agency or department to purchase or contract for specified supplies, services and equipment independently of the purchasing department, but shall require that such purchases be made in conformity with the procedures

established by this chapter and shall further require periodic reports from the agency or department on the purchases and contracts made under such written authorization.

B. The city manager or city manager's designee, with the written authorization and direction of the city manager, may bid at a public or private auction for supplies and equipment to the extent such purchases are in the best interest of the City. The authorization herein shall be limited to a maximum of One Hundred Thousand Dollars (\$100,000). The city manager shall establish such policies and procedures as may be necessary to accomplish efficient, cost effective and quality purchases for the City at auction."

Section 3. Amendments to Chapter 3.32, Section 3.32.120 of the Perris Municipal Code. Section 3.32.120 of the Perris Municipal Code is hereby deleted and replaced in its entirety as set forth below:

"3.32.120 Surplus supplies and equipment.

All using agencies or departments shall submit to the purchasing officer, at such times and in such forms as he shall prescribe, reports showing all supplies and equipment no longer used or which have become obsolete or worn out. The purchasing officer shall have authority to sell all supplies and equipment which cannot be used by any agency or department or which have become unsuitable for city use or to exchange the same or to trade in the same on new supplies and equipment. The purchasing officer shall sell, dispose of, exchange or trade-in the personal property described under this Section for the common benefit. The City manager shall establish such policies and procedures as may be necessary to accomplish the sale, disposal exchange or trade-in of such property for the common benefit."

Section 4. Amendments to Chapter 3.32, Section 3.32.330 of the Perris Municipal Code. The first sentence of Section 3.32.330 of the Perris Municipal Code is hereby deleted and replaced in its entirety as set forth below:

"3.32.330 Informal bid procedures--Supplies, equipment, and contractual services. Purchases of supplies, equipment and contractual services of an estimated value of five thousand dollars or more, and less than thirty thousand dollars, shall be made by informal bid procedures as described herein."

Section 5. Amendments to Chapter 3.32, Section 3.32.340 of the Perris Municipal Code. The first sentence of Section 3.32.340 of the Perris Municipal Code is hereby deleted and replaced in its entirety as set forth below:

"3.32.340 Formal bid procedures--Supplies, equipment, and contractual services. Purchases and contracts for supplies, services and equipment of estimated value greater than thirty thousand dollars shall be let by the formal procedures set forth herein."

Section 6. Amendments to Chapter 3.32, Section 3.32.350 of the Perris Municipal Code. Section 3.32.350 of the Perris Municipal Code is hereby deleted and replaced in its entirety as set forth on Exhibit A attached hereto and by this reference incorporated herein.

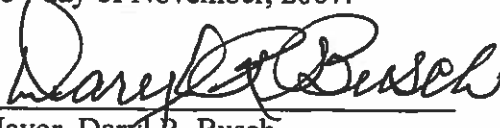
"3.32.350 Exceptions--Supplies, equipment, and contractual services. The bid procedures set forth in Sections 3.32.330 and 3.32.340 need not be followed in situations determined by the purchasing officer to constitute an emergency or when the commodity or service is proprietary, or for the contracting of professional services (e.g., attorneys, architects, or engineers), or for the contracting for trash and garbage service, or for public relations services, or for services connected with elections, or for other similar commodities and services as determined by the purchasing officer or to the extent said purchase is exempt under Section 3.32.050."

Section 7. Limited Amendments. All other provisions of Chapter 3.32 of the Perris Municipal Code shall remain in full force and effect.

Section 8. Severability. If any section, subsection, subdivision, sentence, clause phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance, and each section, subsection, subdivision, sentence, clause, phrase, or portions thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases or portions thereof be declared invalid or unconstitutional.


Section 9. Certification The City Clerk shall certify as to the passage and adoption of this Ordinance and shall cause the same to be posted at the designated locations in the City of Perris.

ADOPTED, SIGNED and APPROVED this 13th day of November, 2007.



Mayor, Daryl R. Busch

ATTEST:

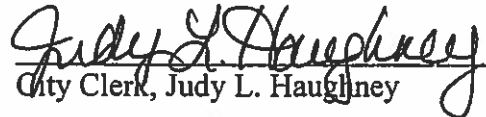


City Clerk, Judy L. Haughney

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) §
CITY OF LAWNSDALE)

I, Judy Haughney, CITY CLERK OF THE CITY OF PERRIS, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Ordinance No. 1227, introduced at a regular meeting of the City Council of the City of Perris held on the 30th day of October, 2007, was duly and regularly adopted by the City Council of the City of Perris at a regular meeting thereof held the 13th day of November, 2007, by the following called vote:

AYES: LANDERS, MOTTE, ROGERS, YARBROUGH, BUSCH
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE


City Clerk, Judy L. Haughney

Attachment 6

ORDINANCE NUMBER 1307

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS AMENDING CHAPTER 3.32 OF THE PERRIS MUNICIPAL CODE TO AUTHORIZE THE USE OF ELECTRONIC BIDDING AND UPDATE PURCHASING LIMITS FOR PUBLIC PROJECTS

WHEREAS, pursuant to Government Code the City Council of the City of Perris (“City Council”) has adopted regulations pertaining to the procedures governing the City’s procurement of supplies, services, and equipment; and

WHEREAS, Perris Municipal Code Chapter 3.32 establishes procedures for the purchase of supplies, services and equipment including formal and informal bidding procedures; and

WHEREAS, the City is committed to an open, transparent and efficient competitive bidding and procurement process; and

WHEREAS, the City believes that an electronic bidding process would provide a more efficient, user friendly and effective method to seek competitive pricing, products and services; and

WHEREAS, the City Council wishes to change its competitive bidding requirements to achieve these goals by allowing electronic bidding; and

WHEREAS, the City also desires to update the purchasing limits for informal and formal bids for public projects to be consistent with state law; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PERRIS, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Recitals Incorporated. The foregoing Recitals are true and correct and incorporated herein as if set forth in full.

Section 2. Amendment. Chapter 3.32 of the Perris Municipal Code entitled “Purchasing and Informal Bid Procedures” is hereby amended as follows:

- Subsection A of section 3.32.240, entitled “Adoption of plans and bidding—Public projects”, is amended to read in its entirety as follows:

“A. The city council shall adopt all plans, specifications, and working details for all public projects of more than one hundred seventy-five thousand dollars.”

- Section 3.32.280 and its title are amended to read in its entirety as follows:

“3.32.280 Public projects under forty-five thousand dollars.

“Public projects of forty-five thousand dollars or less may be performed by the employees of the city by force account, by negotiated contract, or by purchase order.”

- The first sentence of Section 3.32.290, entitled “Informal bid procedures—Public projects”, is amended to read as follows:

“Public projects of one hundred seventy-five thousand dollars or less may be let to contract by the informal procedures set forth in this section.”

- The first sentence of Section 3.32.300, entitled “Formal bid procedures-Public projects” is amended to read as follows:

“Public projects of greater than one hundred seventy-five thousand dollars must be let to contract by the formal procedures set forth in this section.”

- Section 3.32.355, entitled “Electronic bidding alternative” is added to Chapter 3.32 and reads in its entirety as follows:

“Section 3.32.355 Electronic bidding alternative.

- A. Notwithstanding any contrary provision in this code, the use of electronic media is authorized for any formal and informal bidding process pursuant to this Chapter 3.32, including without limitation submission, identification, opening and reporting of bids electronically (“electronic bidding”), provided that it be in accordance with state law and the Perris Municipal Code. Electronic bidding shall include measures as the City deems appropriate for security of the bidding, approval and award processes and accurate retrieval or conversion of electronic information into a medium which permits inspection and copying. All electronic bids shall be submitted in a manner set forth in the notice of inviting bids and/or the bid instructions.
- B. The City may, in its sole discretion, require electronic bidding for any informal and formal bids authorized under this Chapter 3.32. If the City elects to use electronic bidding, then all bids must be submitted electronically consistent with the notice of inviting bids and/or bid instructions. If electronic bidding is not selected, then no bids may be submitted electronically.
- C. The term “mail” as used in, and other forms of written communication required under, this Chapter 3.32 includes electronic mail and facsimile.”

Section 3. No Repeal Of Other Provisions. Unless expressly modified or added herein, all provisions of Chapter 3.32 remain in full force and effect.

Section 4. Certification. The City Clerk shall certify to the passage and adoption of this Ordinance by the City Council and shall cause the same to be posted at the designated locations in the City, pursuant to Government Code Section 36933.

Section 5. Effective Date; Operative Date. This Ordinance shall become effective 30 days after its adoption, pursuant to Government Code Section 36937.

Section 6. Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this Ordinance, or any part thereof, is held invalid or unconstitutional, such decision shall not affect the validity of the remaining sections or portions of this chapter or part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance irrespective of the fact that any one or more sections, subdivisions, paragraphs, sentences, clauses or phrases may be declared invalid or unconstitutional.

ADOPTED, SIGNED and APPROVED this 30th day of September, 2014.



Mayor, Daryl R. Busch

ATTEST:



City Clerk, Nancy Salazar

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) §
CITY OF PERRIS)

I, Nancy Salazar, CITY CLERK OF THE CITY OF PERRIS, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Ordinance Number 1307, introduced at a regular meeting of the City Council of the City of Perris held on the 26th day of August, 2014, was duly and regularly adopted by the City Council at a regular meeting thereof held on the 30th day of September, 2014, and that it was so adopted by the following called vote:

AYES: ROGERS, YARBROUGH, RODRIGUEZ, LANDERS, BUSCH
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE



City Clerk, Nancy Salazar