

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