

ORDINANCE NO. ____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE AMENDING PROVISIONS OF CHAPTER 2.52 OF TITLE 2 OF THE GARDEN GROVE MUNICIPAL CODE INCREASING PUBLIC WORKS CONTRACTS BIDDING THRESHOLDS TO CONFORM WITH STATE LAW.

City Attorney Summary

This Ordinance amends provisions of Chapter 2.52 of the Garden Grove Municipal Code increasing the bidding thresholds for public works contracts under the Uniform Public Construction Cost Accounting Act to conform to changes in State law.

THE CITY COUNCIL OF THE CITY OF GARDEN GROVE HEREBY ORDAINS AS FOLLOWS:

SECTION 1: Subsections (B) and (C) of Section 2.52.010 of Chapter 2.52 of Title 2 of the Garden Grove Municipal Code are hereby amended as follows (additions shown in ***bold/italics***; deletions shown in **~~bold/strikeout~~**):

B. Public projects, as defined in Public Contract Code Section 22002, costing up to ~~\$45,000.00~~ ***\$60,000.00*** may be performed by force account, negotiated contract, or purchase order. Staff shall secure at least three estimates for the work for projects over \$10,000.00 and up to ~~\$45,000.00~~ ***\$60,000.00*** before proceeding with the work.

C. Public projects, as defined in Public Contract Code Section 22002, costing ~~\$175,000.00~~ ***\$200,000.00*** or less may be awarded pursuant to the informal bid procedure in accordance with Public Contract Code Sections 22032, et seq. and Section 2.52.030 of this Title. Public projects costing over ~~\$175,000.00~~ ***\$200,000.00*** shall be formally bid and awarded according to the formal bid process set forth in Public Contract Code Section 22037.

SECTION 2: Subsection (D) of Section 2.52.030 of Chapter 2.52 of Title 2 of the Garden Grove Municipal Code is hereby amended as follows (additions shown in ***bold/italics***; deletions shown in **~~bold/strikeout~~**):

D. Bids In Excess of ~~\$175,000~~ ***\$200,000.00***. If all bids received are in excess of ~~\$175,000.00~~ ***\$200,000.00***, the City Council may, by adoption of a resolution by a four-fifths vote, award the contract, at ~~\$187,000.00~~ ***\$212,500.00*** or less, to the lowest responsible bidder, if it determines the cost estimate of the City was reasonable.

SECTION 3: If any section, subsection, subdivision, sentence, clause, phrase, word, 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, word, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, words or portions thereof be declared invalid or unconstitutional.

SECTION 3: The Mayor shall sign and the City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same, or the summary thereof, to be published and posted pursuant to the provisions of law and this Ordinance shall take effect thirty (30) days after adoption.