



County of San Mateo

Inter-Departmental Correspondence

Department: PUBLIC WORKS

File #: 19-040

Board Meeting Date: 1/8/2019

Special Notice / Hearing: None
Vote Required: Majority

To: Honorable Board of Supervisors
From: James C. Porter, Director of Public Works
Subject: Ordinance to Update Public Projects Contracting Procedures

RECOMMENDATION:

Adopt an ordinance amending the County of San Mateo Ordinance Code, Title 2, Chapter 2.55, "Procedures for Contracting for Public Projects", previously introduced on December 4, 2018, and waive the reading of the ordinance in its entirety.

BACKGROUND:

On June 14, 1994, your Board adopted Resolution No. 58373 authorizing the County to become subject to the Uniform Construction Cost Accounting Procedures pursuant to California Public Contract Code (CPCC), section 22030 et seq. The County's Ordinance Code, Title 2 - Administration, Article 2.5 - Public Works and County Property, Chapter 2.55 - Procedures for Contracting for Public Projects (Ord. No. 04462 § 1, May 21, 2013), reflects the procedures contained in the CPCC, which are subject to regular revisions. The project values currently specified in the County's Ordinance Code need to be updated to be consistent with the latest CPCC updates, which will take effect at the beginning of 2019.

Compliance with CPCC promotes statewide uniformity of the cost accounting standards and creates greater transparency for those entities wishing to contract with the County for public projects.

DISCUSSION:

Assembly Bill 2249 updates section 22030 et seq. and increases the threshold by which public projects can be performed by employees from \$45,000 to \$60,000 or less, authorizes public projects of \$200,000 or less to be procured under informal bidding procedures, and projects more than \$200,000 to be procured by a formal bidding procedure. The bill also authorizes the governing body of a public agency, in the event all informal bids received for the performance of that public project are in excess of \$200,000, to award the contract at \$212,500 or less to the lowest responsible bidder.

The recommended amendments to the County Ordinance Code will bring Chapter 2.55, "Procedures for Contracting for Public Projects" current with CPCC procedures and cost

thresholds and portions of that Chapter will be amended to read as follows:

Section 2.55.030: Competitive bidding on construction or repair contracts - when required, paragraphs (a), (b), and (c):

- (a) Public projects exceeding two hundred thousand dollars (\$200,000) shall, except as otherwise provided in this article, be let to contract by formal bidding procedures set forth in the California Public Contract Code.
- (b) Public projects of two hundred thousand dollars (\$200,000) or less may be let to contract by informal bidding procedures as set forth in this Chapter.
- (c) Public projects of sixty thousand dollars (\$60,000) or less may be performed by the employees of a public agency by force account, by negotiated contract, or by purchase order.

2.55.040 - Informal bidding ordinance, paragraph (c)”

- (c) Award of Contracts. The County Purchasing Agent and the Director of Public Works are each authorized to award and execute informal contracts pursuant to this section. If all bids received are in excess of two hundred thousand dollars (\$200,000), the Board of Supervisors may, by the adoption of a resolution by a four-fifths vote, award the contract, at two hundred twelve thousand five hundred dollars (\$212,500) or less, to the lowest responsible bidder, if it determines the cost estimate was reasonable.

County Counsel has reviewed and approved the Ordinance as to form.

This action contributes to the Shared Vision 2025 of a Collaborative Community by promoting statewide uniformity and transparency of the cost accounting standards and public project bidding procedures.

FISCAL IMPACT:

There is no fiscal impact associated with this proposed Ordinance. There is no impact to the General Fund.