



ORDINANCE NO. _____

**THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO DOES
ORDAIN AS FOLLOWS:**

Section 1. The Board of Supervisors finds and determines that amendments to Chapter 3.13 of Title 3 are necessary to update the El Dorado County Ordinance Code to align the Ordinance Code more closely to the El Dorado County Charter, clarify requirements for contracting out services, and allow for improved implementation of this Chapter.

Section 2. Chapter 3.13 of the El Dorado County Ordinance Code is hereby amended as follows:

CONTRACTING OUT

Sec. 3.13.010. - Title.

This chapter shall be known and may be referred to in all proceedings as the County Contracting Out Ordinance.

Sec. 3.13.020. - Purpose.

This chapter is intended to comply with County Charter Section 210b(6) which provides that the Board may enter into contracts for the performance of work by independent contractors under certain criteria, as listed in Section 3.13.030.

Sec. 3.13.030. - Criteria.

All contracts with independent contractors shall be accompanied by facts to enable the Board or awarding authority to make written findings that such contracts may be awarded and work can be performed by independent contractors because the work meets one or more of the following criteria:

A. Work can be more economically and feasibly performed by independent contractors than County employees. This condition shall be determined through a comparative cost analysis evaluating the total scope of staff, operational, and administrative costs, equipment, materials, facilities, administration or support services related to providing work.

B. Specialty skills and qualifications not expressly identified in County classifications are involved in the performance of the work.

C. Due to the limited timeframes, temporary or occasional nature, or schedule for the project or scope of work, the ongoing aggregate of work to be performed is not sufficient to warrant addition of permanent staff.

D. By legislative authority, it is mandated that the service be performed by independent contractors.

E. The work is with or among any other governmental entities or agencies.

F. Contracts necessary to protect against a conflict of interest or to ensure independent and unbiased findings where there is a need for an outside perspective; for example, contracts relating to litigation or potential litigation may require independent contractors.

G. The nature of the work involves urgent or emergency services.

For purposes of this section, the "awarding authority" means all persons who have been properly delegated the authority to sign contracts for the County without additional Board approval in accordance with applicable statutes, County Charter, ordinances, or resolutions.

Sec. 3.13.040. - Competitive bidding.

Competitive bidding procedures for contracts shall be governed by general law.

Section 3. This ordinance shall become effective thirty (30) days following adoption hereof.

PASSED AND ADOPTED by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held on the ____day of _____, 2019, by the following vote of said Board:

ATTEST
KIMBERLY DAWSON
Clerk of the Board of Supervisors

Ayes:
Noes:
Absent:

By _____
Deputy Clerk

Chair, Board of Supervisors

I CERTIFY THAT:

THE FOREGOING INSTRUMENT IS A CORRECT COPY OF THE ORIGINAL ON FILE IN THIS OFFICE

Date _____

ATTEST: KIMBERLY DAWSON, Clerk of the Board of Supervisors of the County of El Dorado, State of California.

By _____
Deputy Clerk