

Ordinance Revisions – Redline Version

CHAPTER 3.13. - 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.

(Code 1997, § 3.13.010)

Sec. 3.13.020. - Purpose.

This chapter is intended to comply with County Charter Section 210b(6) which provides that the Board may ~~when it finds that work can more economically and feasibly be performed by independent contractors,~~ enter into contracts for the performance of work by independent contractors under certain ~~of such work. The Board of Supervisors shall adopt an ordinance specifying criteria for entering into such contracts, and specifying when competitive bidding procedures for the award of such contracts shall be required, as listed in Section 3.13.030.~~

(Code 1997, § 3.13.020)

Sec. 3.13.030. - ~~Procedure.~~ Criteria.

All contracts with independent contractors shall be accompanied by facts to enable the Board or awarding authority to determine whether such contracts can be "more economically and feasibly" ~~make written findings that such~~ performed by independent contractors. The following criteria shall be considered when reviewing contracts may be awarded and work can be performed by ~~with~~ 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. — Availability of qualified County employees to perform the work;~~
- ~~DC. Due to the limited~~ Timeframes, temporary or occasional nature, or ~~and~~ schedules for the project or scope of work, the ongoing aggregate of work to be performed is not sufficient to warrant addition of permanent staff. ~~in which to perform the work and the ability to satisfy these timeframes and schedules;~~

~~DE.~~ By legislative authority, it is or other mandateds that the service be performed by independent contractors;

~~EF.~~ The work is with or among any other governmental entities or agencies. Legislative, administrative or legal goals and purposes that cannot be accomplished through the use of persons other than independent contractors;

~~FG.~~ 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;

~~GH.~~ The nature of the work involves ~~temporary, occasional,~~ urgent or emergency services;

~~I.~~ The contractor will provide equipment, materials, facilities, administration or support services related to providing work that may not be feasibly provided by the County. 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.

(Code 1997, § 3.13.030)

~~Sec. 3.13.040. Board adoption of findings.~~

~~All persons who have legal authority in writing to sign contracts for the County without additional Board approval such as provided by the County Charter, ordinances and resolutions, shall determine whether such contracts can be "more economically and feasibly" performed by the independent contractors pursuant to the criteria outlined in Section 3.13.030. Written findings that the work can be performed "more economically and feasibly" are required to enter into such contracts and these findings shall be deemed adopted by the Board.~~

~~(Code 1997, § 3.13.040)~~

Sec. 3.13.0450. - Competitive bidding.

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

(Code 1997, § 3.13.050; Ord. No. 4369, 1995)