



# County of El Dorado

330 Fair Lane, Building A  
Placerville, California  
530 621-5390  
FAX 622-3645  
www.edcgov.us/bos/

## Legislation Text

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**File #:** 12-0372, **Version:** 2

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HEARING - Consider adoption of **Ordinance 4976** (Second Reading) amending Sections 3.14.040, 3.14.050, and 3.14.070 of Chapter 3.14 of Title 3 of the El Dorado County Ordinance Code increasing bidding thresholds for public projects as defined in Public Contract Code. (Est. Time: 10 Min.)

Fiscal Impact/Change to Net County Cost: No fiscal impact

Background: Assembly Bill 720, a copy of which is attached, approved by the Governor and filed with the Secretary of State on October 9, 2011, increased bidding thresholds for public projects amending Public Contract Code Sections 22031, 22032, and 22034.

County Ordinance Code Sections 3.14.010 et seq. regarding informal bidding requirements for public projects are derived from the County's election to become subject to the Uniform Public Construction Cost Accounting Act (Act), commencing with Public Contract Code §22000. The Board of Supervisors elected to operate pursuant to the provisions of the Act in 1986. The intent of the Act is to promote uniformity of both the cost accounting standards and the bidding procedures on construction work performed or contracted by public entities (Public Contract Code §22001).

Section 22020 of the Public Contract code provides that the California Uniform Construction Cost Accounting Commission shall consider whether there have been material changes in public construction costs and shall make recommendations to the State Controller regarding adjustments in the monetary limits prescribed by the Act every five years, provided that the amounts, as adjusted, be greater than fifteen thousand dollars (\$15,000).

Reason for Recommendation: In order to conform to Public Contract Code, it is necessary to amend Chapter 3.14 of the County's Public Projects Informal Bidding Procedures Ordinance to increase the dollar amounts of the informal bid limits as indicated in Assembly Bill 720.

Adoption of the amended Ordinance Code will enable the County's authorized departments to use public agency employees or negotiated contracts for projects estimated to cost up to \$45,000; will allow informal bidding procedures for projects estimated to cost up to \$175,000; and will allow the Board to award contracts up to \$187,500, when the bids solicited through the informal bidding process are all in excess of \$175,000. These changes will enable the County's Ordinance Code to conform to the Public Contract Code.

In addition to the above changes includes an amendment to section 3.14.070 of Chapter 3.14 that amends the requirement for notice inviting formal bids be mailed at fifteen (15) calendar days before the date of opening bids versus thirty (30) days. Language was also added in each effected section to state that going forward any future increases will automatically be amended as set forth by Public Contract Code.

Action to be taken following Board approval: Continue the item until April 10, 2012 for final adoption and incorporation of amendments into Title 3, Chapter 3.14 of the El Dorado County Ordinance Code, which amendments shall become effective thirty (30) days following final adoption by the Board of Supervisors.

Contact: Terri Daly, CAO x5530

Concurrences: County Counsel