

ORDINANCE NO. 2021-9

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD, CALIFORNIA, ADDING CHAPTER 8 TO ARTICLE VII OF THE LAKEWOOD MUNICIPAL CODE REGARDING THE UNIFORM PUBLIC CONSTRUCTION COST ACCOUNTING ACT AS DEFINED IN PUBLIC CONTRACT CODE SECTION 22002(C)

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKEWOOD DOES ORDAIN AS FOLLOWS:

Section 1. Chapter 8 is hereby added to Article VII of the Lakewood Municipal Code entitled "Public Works Contracts" and consisting of Sections 7800 to 7805, as set forth in Exhibit "A", attached hereto and incorporated as though fully set forth herein.

Section 2. By Resolution No. 2021-66, adopted December 14, 2021, the City opted to become subject to the Uniform Public Construction Cost Accounting Act (Public Contract Code Sections 22000, et seq.).

Section 3. The City Clerk will notify the California State Controller regarding the City's adoption of Resolution No. 2021-66.

Section 4. In order to take advantage of the informal bidding procedures set forth in the Act, Public Contract Code ("PCC") Section 22034 requires that the City adopt an ordinance establishing informal bidding procedures for public projects.


Section 5. If any section, subsection, clause or phrase in this Ordinance or the application thereof to any person or circumstances is for any reason held invalid, the validity of the remainder of this Ordinance or the application of such provisions to other persons or circumstances shall not be affected thereby. The City Council hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that one or more sections, subsections, sentences, clauses or phrases or the application thereof to any person or circumstance be held invalid.

Section 6. The City Clerk shall certify to the adoption of this Ordinance. The City Council hereby finds and determines there are no newspapers of general circulation both published and circulated within the City and, in compliance with Section 36933 of the Government Code, directs the City Clerk to cause said Ordinance within fifteen (15) days after its passage to be posted in at least three (3) public places within the City as established by Ordinance.

Section 7. This Ordinance shall take effect and be in full force 30 days after its adoption.

ADOPTED AND APPROVED this 25th day of January, 2022, by the following roll call vote:

	AYES	NAYS	ABSENT
Council Member Croft	<u>X</u>	_____	_____
Council Member Pe	<u>X</u>	_____	_____
Council Member Rogers	<u>X</u>	_____	_____
Council Member Stuckey	<u>X</u>	_____	_____
Mayor Wood	<u>X</u>	_____	_____



Mayor

ATTEST:



City Clerk

EXHIBIT A

CHAPTER 8
PUBLIC WORKS CONTRACTS

7800 Purpose.

This Chapter is adopted pursuant to Public Contract Code Sections 22030-22045, and any succeeding or related statutes, for the purpose of implementing the informal bid procedures set forth in the Uniform Public Construction Cost Accounting Act (Public Contract Code Sections 22000, *et seq.*) (the “Act”).

7801 Applicability.

This Chapter may be used for public projects with a value equal to or less than the amounts set forth in Public Contract Code Section 22032, which limits will be increased automatically as authorized in any successor statute or regulation, or, when applicable, as established pursuant to Public Contract Code Section 22020.

7802 Definitions.

Unless the contrary is stated or clearly appears from the context, the definitions in Public Contract Code Section 22002 and set forth below will govern the construction of the words and phrases used in this Chapter.

7803 Soliciting Bids and Awarding Contracts.

Public projects, as defined by the Act and in accordance with the limits listed in Section 22032 of the Public Contract Code, may be let to contract by informal procedures as set forth in Section 22030-22045 of the Public Contract Code. The City Manager may execute contracts up to the lower threshold of the informal bidding limit as defined in Section 22032(a) of the Public Contract Code for public projects without approval by the City Council.

7804 Contractors List.

The City shall comply with the requirements of Public Contract Code Section 22034, after performing a prequalification process in accordance with Public Contract Code Section 20101.

7805 Notice Inviting Informal Bids.

Where a public project is to be performed which is subject to the provisions of this Chapter, a notice inviting informal bids shall be circulated using one or both of the following alternatives:

1. Notice inviting informal bids may be mailed, faxed, or emailed to all contractors for the for the category of work to be bid, as shown on the list developed on accordance with Section 7805.

2. Notices inviting informal bids may be mailed to all construction trade journals as specified by the California Uniform Construction Cost Accounting Commission in accordance with Section 22036 of the Public Contract Code. Additional contractors or construction trade journals may be notified at the discretion of the City, provided however: if the product or service is proprietary in nature such that it can be obtained only from a certain contractor or contractors, the notice inviting informal bids may be sent exclusively to such contractor or contractors.