

ORDINANCE NO. 309

**AN ORDINANCE OF
THE TAHOE CITY PUBLIC UTILITY DISTRICT
ESTABLISHING INFORMAL BIDDING PROCEDURES UNDER
THE UNIFORM PUBLIC CONSTRUCTION COST ACCOUNTING ACT**

WHEREAS, TAHOE CITY PUBLIC UTILITY DISTRICT ("District") is a public agency as defined in the California Uniform Public Construction Cost Accounting Act ("Act") [California Public Contract Code ("CPC")], Sections 22000-22045], and

WHEREAS, the District, pursuant to its prior Resolution No. 23-42, dated December 18, 2023, declared its election to become subject to the Uniform Public Construction Cost Accounting procedures set forth in the Act and the California Uniform Construction Cost Accounting Commission's ("Commission") policies and procedures now in effect or thereafter amended, and

WHEREAS, the Act (specifically CPC Section 22034) requires that the District establish, by ordinance, an informal bidding procedure to govern the selection of contractors performing public projects pursuant to subdivision (b) of CPC Section 22032.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF TAHOE CITY PUBLIC UTILITY DISTRICT HEREBY DOES ORDAIN AS FOLLOWS:

1. This Ordinance, and all additions, amendments or modifications shall establish the District's informal bidding procedures under and pursuant to the Act.
2. INFORMAL BIDDING PROCEDURES. Public projects, as defined by the Act and in accordance with the limits listed in subdivision (b) of CPC Section 22032, may be let to contract by informal bidding procedures as set forth in CPC Section 22032, et seq.
3. QUALIFIED CONTRACTOR'S LIST. The District shall comply with the requirements of Public Contract Code Section 22034.
4. NOTICE INVITING INFORMAL BIDS. When a public project is to be undertaken and performed which is subject to this Ordinance, a notice inviting informal bids shall be circulated using one or both of the alternatives described in paragraphs a) and/or b) below, except as noted in paragraphs c) and d) below. The notice shall describe the project in general terms and how to obtain more detailed information about the project and state the time and place for the submission of informal bids.
 - a) Notices inviting informal bids may be mailed, faxed, or emailed to all contractors for the type or category of project or work to be bid, as shown on the list developed in accordance with paragraph 3 above; and/or,
 - b) Notices inviting informal bids may be mailed to all construction trade journals as specified by the Commission pursuant to CPC Section 22036.
 - c) Additional contractors and/or construction trade journals may be noticed at the discretion of the District.
 - d) If the product or service is proprietary in nature such that it can be performed or obtained only from a certain contractor or contractors, the notice inviting informal bids may be sent exclusively to such contractor or contractors.

5. AWARD OF CONTRACTS. Unless delegated otherwise by the Board of Directors of this District, authority to award contracts which are informally bid pursuant to this Ordinance remains with the Board of Directors.

If all bids received are in excess of the limit listed in subdivision (b) of CPCC Section 22032, the Board of Directors may, by adoption of a resolution by a four-fifths vote, award the contract, at the amount designated in in subdivision (d) of CPCC Section 22034 or less, to the lowest responsible bidder, if it determines the cost estimate of the public agency was reasonable.

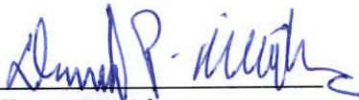
6. ADDITIONAL POLICIES AND PROECDURES. The Board of Directors may, by resolution, adopt, modify, and amend policies and procedures that comply with the Act, and which are in addition to the procedures set forth in this Ordinance to facilitate implementation of this Ordinance.
7. EFFECTIVE DATE. This Ordinance shall take effect and be in force thirty (30) days from the date of its passage and, before the expiration of fifteen (15) days after its passage, copies shall be posted in at least three public places in the District and published at least one time in a newspaper of general circulation in the Counties of Placer and El Dorado.

PASSED AND ADOPTED on the 15th day of December 2023, at a regular meeting of the Board of Directors of the Tahoe City Public Utility District by the following vote:

AYES: Pang, Beals, Scoville, Friedman
NOES: None
ABSENT: Wilkins
ABSTAINING: None

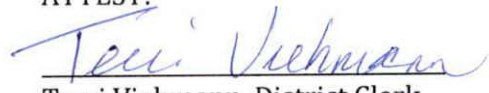
TAHOE CITY PUBLIC UTILITY DISTRICT

BY:



Dan Wilkins, President

ATTEST:



Terri Viehmann, District Clerk