



# CITY OF SACRAMENTO

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March 4, 1987

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LINDA M. GONZALEZ  
Deputy City Attorneys

Law and Legislation Committee  
Budget and Finance Committee  
City Council  
Sacramento, California 95814

Re: Proposed Amendments to Chapter 58,  
Sacramento City Code

Honorable Members in Session:

## SUMMARY

It is recommended that the Committees consider the proposed amendments to Chapter 58 of the Sacramento City Code.

## BACKGROUND

Attached are our two memoranda dated November 20, 1986, which provide the background for these proposed amendments; i.e., how they originated, and their effects.

Also attached are comments received from Thomas Finley, Engineering Division Manager.

We have mailed copies of the proposed changes to interested persons, a list of whom was supplied by Councilmember Serna's office.

## RECOMMENDATION

It is recommended that the Committees consider the proposed amendments to Chapter 58 of the Sacramento City Code.

JAMES P. JACKSON, City Attorney

By: \_\_\_\_\_

*William P. Carnazzo*  
WILLIAM P. CARNAZZO,  
Deputy City Attorney

RECOMMEND APPROVAL:

*Walter J. Slipe*  
WALTER J. SLIPE,  
City Manager



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November 20, 1986

## MEMORANDUM

TO: Councilmember Grantland Johnson

FROM: James P. Jackson, City Attorney  
William P. Carnazzo, Deputy City Attorney

RE: Amendments to Chapter 58 of the City Code

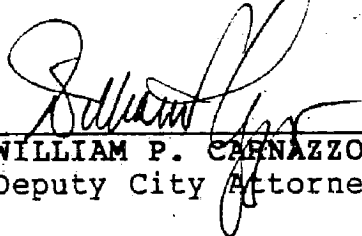
Per your request, we have prepared the attached amendments to Chapter 58, to include a competitive bidding requirement on "quasi-public projects". While the definition of "public project", embodied in Charter §204 (as well as Code §58.101) admits of no expansion, nevertheless the City Council has the inherent power under Charter §10 to require competitive bidding on other projects which are beyond the reach of Charter §204.

Accordingly, we have drafted a definition of the term "quasi-public project", and have made all of the relevant provisions of Chapter 58 applicable to such projects. Please note that we have excluded the term "indirect" from the definition, even though it was included in the proposed definition which you sent for our review. Our rationale for not including "indirect" assistance is that it could be construed as broad enough to encompass assistance of any kind. Instead, we have broadened the reach of the "assistance" concept to include direct monetary assistance by the City or SHRA, and assistance in the form of public financing in any form.

We have also added a provision which establishes a list of interested persons/entities who will receive individual notice from the City Clerk when competitive bids are called for.

By separate memorandum, a copy of which is attached, we have distributed the proposed ordinance to David Martinez, Deputy City Manager, and Mel Johnson, Director of Public Works, for their review and comment.

JAMES P. JACKSON, City Attorney

By:   
WILLIAM P. CARNAZZO,  
Deputy City Attorney

WPC/jmv  
Enclosures



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November 20, 1986

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MEMORANDUM

TO: David Martinez, Deputy City Manager  
Mel Johnson, Director of Public Works

FROM: James P. Jackson, City Attorney  
William P. Carnazzo, Deputy City Attorney

RE: Amendments to Chapter 58 of the City Code

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Attached for your review and comment is a draft ordinance amending Chapter 58 of the City Code, relating to competitive bidding on public projects. The underlined language is new. This draft ordinance was prepared at the request of Councilmember Grantland Johnson.

  
\_\_\_\_\_  
WILLIAM P. CARNAZZO

WPC/jmv  
Attachment

cc: Grantland Johnson

# ORDINANCE NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

## AN ORDINANCE AMENDING ARTICLE I OF CHAPTER 58 OF THE SACRAMENTO CITY CODE RELATING TO COMPETITIVE BIDDING REQUIREMENTS ON PUBLIC PROJECTS

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

### SECTION 1

Section 58.101 of Article I of Chapter 58 of the Sacramento City Code is amended to read as follows:

#### § 58.101 Definitions.

The following words and phrases whenever used in this chapter shall be construed as defined in this section:

(a) Public project shall mean and include the following:

- (i) A project for the erection, improvement, and remodeling of public buildings and works;
- (ii) Work in or about streams, bays, waterfronts, embankments or other work for protection against overflow;
- (iii) Street, sewer or water work except maintenance or repair;
- (iv) Furnishing supplies or materials for any such projects.

(b) Quasi-public project shall mean and include the following:

- (i) Any construction project within the City of Sacramento to which the City contributes funds in an amount equal to or greater than \$ \_\_\_\_\_; or
- (ii) Any construction project within the City of Sacramento to which the Sacramento Housing and Redevelopment Agency contributes funds in an amount equal to or greater than \$ \_\_\_\_\_; or
- (iii) Any construction project within the City of Sacramento as to which any form of public financing has been employed utilizing the City of Sacramento or any of its agencies, including the Sacramento Housing and Redevelopment Agency.

- (c) **City manager** shall mean the city manager of the City of Sacramento or an official specifically designated to act for the city manager. Authorization not specified in this chapter shall be made in writing by the city manager and filed with the city clerk.

## SECTION 2

Article I of Chapter 58 of the Sacramento City Code is amended to add Section 58.107, to read as follows:

### **§ 58.107 Application of Chapter to Quasi-Public Projects.**

- (a) The provisions of Sections 58.102, 58.103, 58.104, 58.105 and 58.106 shall apply to quasi-public projects.
- (b) The provisions of Articles II, III, IV, V, VI and VII of this chapter shall apply to quasi-public projects.

## SECTION 3

Section 58.301 of Article III of Chapter 58 of the Sacramento City Code is amended to read as follows:

### **§ 58.301 When advertising required.**

- (a) Where the cost of a public project required by the city exceeds the sum of five thousand dollars the city council shall order the city clerk to call for formal bids therefor by advertising at least once in the official newspaper of the city not less than fourteen calendar days prior to the date set for receiving such bids. The city council, when it deems it to be advisable, may require more than one advertising of the call for bids.
- (b) In addition to the advertising required by subsection (a), the city clerk shall maintain a list of persons, contractors and contractor associations which have requested individual notice of a call for formal bids. Any interested person, contractor or contractor association may request placement upon the list by written notice to the city clerk, giving the requesting party's name and mailing address. At least \_\_\_\_\_ weeks prior to the date set for receiving public bids, the city clerk shall mail written notice of the call for competitive bids to each name on the list, at the address specified. The city clerk shall establish a standard fee to be charged periodically to each party on the list, to defray the cost of preparation and maintenance of the list, and the cost of preparation and mailing of the required written notice.

PASSED FOR PUBLICATION:

ENACTED:

EFFECTIVE:

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MAYOR

ATTEST:

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CITY CLERK

# ORDINANCE NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

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MAYOR

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CITY CLERK