

DECLARATION OF PUBLICATION

STATE OF CALIFORNIA

COUNTY OF SACRAMENTO

PHOEBE SCHUELER

CITY OF SACRAMENTO
CITY CLERK
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SACRAMENTO CA 95814

ORDINANCE
MISC 1812 OR2018-0042 ESTABLISHING LOCAL
HIRE
00981
HEARING/CLOSE/SALE DATE: 08/21/18

The undersigned says:

I am over the age of 18 years and a citizen of the United States. I am not a party to and have no interest in this matter. I am a principal clerk of the SACRAMENTO BULLETIN*, a newspaper of general circulation in the City of Sacramento, Sacramento Public Notice District, the County of Sacramento, and the State of California, as adjudicated in Sacramento Superior Court Case No. 00SC01155. The notice, a printed copy of which appears herein, was published on the following date(s): Sep 10, 2018

I declare under penalty of perjury that the foregoing is true and correct. Executed at Los Angeles, California on 09/10/18.


signature

Sacramento Bulletin

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ORDINANCE NO. 2018-0042

Adopted by the Sacramento City Council

August 21, 2018

An Ordinance Amending Article VIII of Chapter 3.60 of the Sacramento City Code, Relating to Establishment of a Local Hire Program

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

SECTION 1

Article VIII of chapter 3.60 of the Sacramento City Code is amended to read as follows:

Article VIII. Local Business Enterprise and Local Hire Programs

3.60.260 Local business enterprise and local hire programs.

The city council may adopt by resolution programs to promote and provide incentives for the participation of local business enterprises (LBEs) in city contracts or agreements awarded under the provisions of chapters 3.56, 3.60, or 3.64. The city council may also adopt by resolution programs to promote and provide incentives for the hiring of local residents to perform work on projects for contracts awarded under the provisions of this chapter 3.60. The city manager may adopt administrative procedures to implement the provisions of these programs.

3.60.270 LBE and local hire participation levels.

A. The specifications or request for bids or proposals for any contract or agreement awarded under the provisions of chapters 3.56, 3.60, or 3.64 may establish goals or minimum levels for participation in the contract or agreement by LBEs. No bidder or proposer on the contract or agreement shall be considered a responsive bidder or proposer unless its bid or proposal meets the minimum LBE participation levels established for the contract or agreement, in accordance with the administrative procedures authorized by section 3.60.260.

B. The specifications or request for bids for any contract awarded for projects under the provisions of this chapter 3.60 may establish goals or minimum levels for hiring local residents to perform work on the project, and may require contractors to obtain referrals when hiring employees and interns for the project from apprenticeship programs, employment and training agencies, and other sources.

3.60.280 Sheltered market program.

The LBE programs and their respective administrative procedures authorized by section 3.60.260 may provide for a sheltered market program that restricts bidding and awards for contracts and agreements that do not exceed the contract approval authority of the city manager under sections 3.56.080, 3.60.080, and 3.64.030.

3.60.290 MBE/WBE/DBE bid requirements.

The LBE and local hire programs author-

ized in sections 3.60.260 through 3.60.280, inclusive, shall not apply to any contract or agreement awarded under or funded by any federal or state program that includes minority business enterprise (MBE), women business enterprise (WBE), or disadvantaged business enterprise (DBE) participation goals. Such contracts or agreements shall be awarded in accordance with the applicable MBE, WBE, or DBE requirements and procedures.

3.60.300 Provision of false information a misdemeanor.

A. No person shall submit false information to the city, or to the city's representative, for the purpose of establishing the status of any business entity, including a sole proprietorship, as a MBE, WBE, DBE, or LBE.

B. No person shall submit false information to the city or the city's representative in connection with any bid or proposal regarding the MBE, WBE, DBE, or LBE status of any business entity, including a sole proprietorship, or regarding efforts made by that person to meet the MBE, WBE, DBE, or LBE participation levels included in a city contract or agreement.

C. No person shall submit false information to the city or the city's representative in connection with any local hire program, including the location where an employee resides or efforts made to meet the local hire participation levels included in a city contract.

D. Any person who violates this section is guilty of a misdemeanor punishable as provided in section 1.28.020. This shall be in addition to any other remedies authorized by any other provisions of this code or provided for by any federal, state, or local law or regulation.

3.60.310 Information to be provided under penalty of perjury.

A. Whenever any bid or proposal to be submitted to the city calls for the bidder or proposer to submit information about the MBE, WBE, DBE, or LBE status of any business entity, including a sole proprietorship, or about the efforts made by the bidder or proposer to meet the MBE, WBE, DBE, or LBE participation goals included in a city contract or agreement, such information shall be submitted under penalty of perjury.

B. Whenever any bid to be submitted to the city calls for the bidder to submit information about the bidder's local hire plan or about the efforts to be undertaken by the bidder to meet the local hire participation goals included in a city contract, such information shall be submitted under penalty of perjury.

Adopted by the City of Sacramento City Council on August 21, 2018, by the following vote:

Ayes: Members Ashby, Carr, Guerra, Hansen, Jennings, Schenirer and Mayor Steinberg

Noes: Members Harris and Warren

Abstain: None

Absent: None

Attest:
/s/ Mindy Cuppy, City Clerk

The presence of an electronic signature

