
Section 1107. Contracts for public works.

- (a) Every project involving an expenditure of public monies of more than fifteen thousand dollars (\$15,000) appropriately indexed to 1978 dollars for the construction or improvement of public buildings, works, drains, sewers, utilities, parts, playgrounds, and streets (exclusive of projects for resurfacing, maintenance and repair of streets) shall be let by contract to the lowest responsible bidder after notice by publication in the official newspaper by one or more insertions, the first of which shall be at least seven days before the time for opening bids.

All bids shall be accompanied by either a certified or cashier's check, or a bidder's bond executed by a corporate surety authorized to engage in such business in California, made payable to the city. Such security shall be in an amount not less than that specified in the notice inviting bids or in the specifications referred to therein, or if no amount be so specified then in an amount not less than ten percent of the aggregate amount of the bid. If the successful bidder neglects or refuses to enter into the contract within the time specified in the notice inviting bids or specifications referred to therein, the amount of the bidder's security shall be declared forfeited to the city and shall be collected and paid into its general fund and all bonds so forfeited shall be prosecuted and the amount thereof collected and paid into such fund.

The council may reject any and all bids presented and may readvertise in its discretion. The council, after rejecting bids, or if no bids are received, may declare and determine that, in its opinion, based on estimates approved by the city manager, the work in question may be performed better or more economically by the city with its own employees and after the adoption of a resolution to this effect by at least five affirmative votes of the council may proceed to have such work done in the manner stated, without further observance of the provisions of this section. Such contracts likewise may be let without advertising for bids, if such work shall be deemed by the council to be of urgent necessity for the preservation of life, health or property and shall be authorized by resolution passed by at least five affirmative votes of the council and containing a declaration of the facts constituting such urgency.

Noting in this section shall be construed to apply to the acquisition or purchase of electricity, electric power or electric energy by the city for any use or purpose.

(As amended April 9, 1974; June 3, 1980.)

- (b) As an alternate procedure to subsection (a) above, Council may, by ordinance, establish an alternate bidding procedure for public works contracts where the amount does not exceed the limit for the alternate bidding procedures for general law cities as set forth in the California Public Contract Code at Section 22034 as amended from time to time.

(As amended April 9, 1974; June 3, 1980; November 3, 1998.)

Section 1111. Competitive bidding.

Before making purchases of, or contracts for, supplies, materials or equipment, ample opportunity shall be given for competitive bidding, under such rules and regulations and with such exceptions as the council may prescribe in the ordinance setting up such rules and regulations. When making purchases for the city, merchants with places of business located within the city shall be given the preference, quality and prices being equal.