

1 MARIPOSA COUNTY ORDINANCE No. 584

2 AMENDING PURCHASING AND BIDDING
3 PROCEDURES TO CONFORM TO STATE LAW

4 WHEREAS the laws of the State of California require that
5 county purchasing procedures conform to certain requirements of
6 statutes;

7 NOW THEREFORE the Board of Supervisors of Mariposa County does
8 hereby ordain as follows:

9 SECTION I: Section 3.08.020 of the Mariposa County Code is
10 hereby amended to delete the existing subparagraph "C" in its en-
11 tirety, and reletter existing subparagraph "D" to "C", and amend it
12 to read as follows:

13 "C. 'Supplies and equipment' means those items specified
14 in Government Code Section 25480 and other provision of law
15 and such other ordinary supplies as the county is required to
16 keep for use and replenish annually, as needed, for distribu-
17 tion among the county officers and agencies, but excluding
18 services or materials furnished "in kind" in lieu of cash to
19 indigents."

20 SECTION II: Section 3.08.030 of the Mariposa County Code is
21 hereby amended to read in its entirety as follows:

22 "3.08.030 Purchases by agency: supplies and equipment.

23 The board of supervisors shall annually or at such lesser
24 intervals as it deems appropriate advertise for sealed bids in
25 the manner directed by law for furnishing the county and its
26 agencies with supplies and equipment as defined herein. Each
27 agency head, or the designated deputy or assistant, is author-
28 ized to purchase such supplies and equipment in the manner

1 determined by the board of supervisors after the completion of
2 bidding. All supplies furnished the county or any agency
3 thereof shall be at a price no greater than is specified in
4 the bid which is accepted by the board."

5 SECTION III: Section 3.08.035 is hereby added to the Mariposa
6 County Code to read as follows:

7 "3.08.035 Purchases by agency: other items. The pur-
8 chase of items other than supplies and equipment, as defined
9 in this chapter, shall be made by each agency in conformity
10 with the applicable provisions of this chapter. The board of
11 supervisors authorizes each agency to purchase such items in
12 amounts or estimated amounts to be set by resolution of the
13 board of supervisors, provided that each such purchase con-
14 forms to an approved budget. Each agency head shall be re-
15 sponsible for making all such purchases at the most favorable
16 price for the quality and quantity required for efficient oper-
17 ation. Whenever possible, competitive quotations shall be
18 secured prior to making such purchases. When the board of
19 supervisors has entered into a contract with a vendor to supply
20 all the county's requirements for specified supplies or equip-
21 ment, the using agency shall not have authority to purchase
22 such supplies or equipment under this section."

23 SECTION IV: Section 3.08.040 of the Mariposa County Code is
24 hereby amended to read as follows:

25 "3.08.040 Purchases by board of supervisors. Each
26 agency shall submit to the board of supervisors requests for
27 purchase of items other than supplies and equipment, as de-
28 fined in this Chapter, in amounts or estimated amounts in

1 excess of the amount fixed by resolution of the board of supervisors.
2 When in its judgement the public interest requires, the board of supervi-
3 sors may purchase or otherwise acquire such items on the open market at
4 the lowest available price for the quantity and quality of item re-
5 quired. At all other times bids shall be solicited by public
6 notice, followed by an award by the board of supervisors, ex-
7 cept where the board of supervisors makes a finding recorded
8 in its minutes that competitive bidding would not be in the
9 public interest. The method and extent of public notice shall
10 be prescribed by the board of supervisors. All bids shall be
11 submitted sealed to the clerk of the board. The board of
12 supervisors may reject any or all bids for all or any portion
13 of the items bid. A tabulation of all bids received, whether
14 accepted or rejected, shall be open for public inspection for
15 a period of not less than thirty days after the bid opening.
16 In all cases, the award shall be made by the board of super-
17 visors to the lowest responsible bidder. In determining the
18 lowest responsible bidder, the board of supervisors shall take
19 into consideration the quality offered and its conformity with
20 the specifications, the delivery and discount terms and condi-
21 tions of the bid, and other information and data required.
22 This section shall not apply to labor, materials or equipment
23 for public construction projects unless the requirements speci-
24 fied in this Title for such projects have been satisfied."

25 SECTION V: Chapter 3.12 of the Mariposa County Code entitled
26 "BIDDING" is hereby amended to read in its entirety as follows:

27 "Chapter 3.12

28 PUBLIC PROJECTS BIDDING

Sections:

- 3.12.010 Informal bid.
- 3.12.020 Formal bid.
- 3.12.030 When bidding unnecessary.
- 3.12.040 Notice and advertising.

3.12.010 Informal bid. Unless the board of supervisors of the county directs otherwise, bidding for public projects costing between four thousand dollars and ten thousand dollars shall be let by informal bid, conforming to the procedures specified in Government Code Section 25543 and other provisions of law governing informal bids.

3.12.020 Formal bid. Unless the board of supervisors of the county directs otherwise, bidding for public projects costing ten thousand dollars and more shall be let by formal bidding procedures as specified in Government Code Section 25543.5 and other provisions of law.

3.12.030 When bidding unnecessary. Public projects costing less than four thousand dollars shall be let or performed in the manner directed by the board of supervisors. Public projects which are subject to informal or formal bidding requirements may be let by other procedures directed by the board of supervisors after all bids have been rejected as specified in Government Code Section 25544 or Section 25544.5 and other pertinent provisions of law.

3.12.040 Notice and advertising. When bidding is required, notices and advertising shall be in the manner directed by the board of supervisors, but nothing in this title shall be construed to require notice to contractors who are unknown to the county clerk or whose address is unknown to the clerk."

1 SECTION VI: This ordinance shall become effective thirty (30)
2 days from the date of final passage pursuant to Government Code
3 Section 25123.


4 PASSED AND ADOPTED this 3rd day of August, 1982, by the
5 Mariposa County Board of Supervisors by the following vote:

6 AYES: Barrick, Dalton, Erickson, Moffitt, Taber

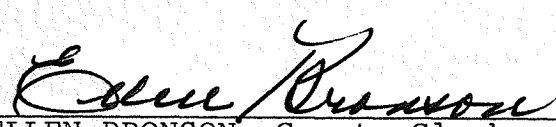
7 NOES: None

8 ABSENT: None


9 ABSTAINED: None

10 
11 WILLIAM H. MOFFITT, Chairman
Mariposa Board of Supervisors

12 ATTEST:

13 
14 ELLEN BRONSON, County Clerk and
15 Ex Officio Clerk of the Board

16 APPROVED AS TO FORM AND
17 LEGAL SUFFICIENCY:

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19 RICHARD K. DENHALTER, County Counsel
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