

ORDINANCE NO. 2024-02**ORDINANCE ADOPTING PUBLIC PROJECTS—INFORMAL BIDDING
PROCEDURES TO THE RODEO HERCULES FIRE PROTECTION DISTRICT
ORDINANCE CODE TO PROVIDE INFORMAL BIDDING PROCEDURES UNDER
THE UNIFORM PUBLIC CONSTRUCTION COST ACCOUNTING ACT**

The Directors of the Rodeo Hercules Fire Protection District (“District”) find and determine as follows:

A. The District is authorized by the Fire Protection District Law of 1987 (Health & Safety Code §13800 et seq.) to provide public services and facilities related to the provision of fire protection and emergency services within the District's service area.

B. The Uniform Public Construction Cost Accounting Act (Public Contracting Code Section 22000 et seq.), establishes a uniform cost accounting standard for public project construction work performed or contracted by local public agencies.

C. On August 14, 2024, the District adopted a resolution to subject itself to the Uniform Public Construction Cost Accounting Act’s Procedures and desires to now adopt the necessary informal bidding procedures by ordinance as required by Public Contract Code Section 22034.

D. In order to take advantage of the informal bidding procedures set forth in the Uniform Public Construction Cost Accounting Act, Public Contract Code Section 22034 requires that the District adopt an ordinance establishing bidding procedures for public projects.

NOW, THEREFORE, the Board of Directors of the Rodeo-Hercules Fire Protection District does ORDAIN as follows:

SECTION 1**1.1 Informal Bid Procedures**

Public projects, as defined by the Act and in accordance with the limits listed in Section 22032 of the Public Contract Code, may be let to contract by informal procedures as set forth in Section 22032, *et seq.*, of the Public Contracting Code.

1.2 Contractors List

The District shall comply with the requirements of Public Contract Code Section 22034.

1.3 Notice Inviting Informal Bids

Where a public project is to be performed which is subject to the provisions of this Ordinance, a notice inviting informal bids shall be circulated using one or both of the following alternatives:

1.3.1 Notices inviting informal bids may be mailed, faxed, or emailed to all contractors for the category of work to be bid, as shown on the list developed in accordance with Section 1.2.

1.3.2 Notices inviting informal bids may be mailed to all construction trade journals as specified by the California Uniform Construction Cost Accounting Commission in accordance with section 22036 of the Public Contract Code. Additional contractors and/or construction trade journals may be notified at the discretion of the District when soliciting bids, provided however:

- (a) If the product or service is proprietary in nature such that it can be obtained only from a certain contractor or contractors, the notice inviting informal bids may be sent exclusively to such contractor or contractors.

1.4 Award of Contract

The Fire Chief of the District is authorized to award informal contracts pursuant to this Section.

Section 2. Severability

If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held invalid, unconstitutional or unenforceable, such holding shall not affect the validity of the remaining portions of this Ordinance. The Board of Directors hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases is for any reason held invalid, unconstitutional or unenforceable.

Section 3. CEQA

The Board finds this Ordinance is statutorily exempt from the provisions of the California Environmental Quality Act of 1970 ("CEQA") per CEQA Guidelines Section 15308, Actions by Regulatory Agencies for Protection of the Environment.

Section 4. Effective Date

This Ordinance shall take effect thirty (30) days after its adoption. The Secretary of the Board is directed to publish and/or post this Ordinance as required by law.

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STATE OF CALIFORNIA)
COUNTY OF CONTRA COSTA)

I HEREBY CERTIFY that the foregoing Ordinance No. 2024-02 was duly and regularly adopted by the Directors of the Rodeo Hercules Fire Protection District, at a regular meeting thereof, held on the 23rd day of October 2024 by a ____ vote as follows:

AYES: BOARD MEMBERS:
NOES: BOARD MEMBERS:
ABSENT: BOARD MEMBERS:
ABSTAIN: BOARD MEMBERS:

Delano Doss, Chair of the Board

ATTEST:

Kimberly Corcoran, Administrative Services
Rodeo Hercules Fire Protection District