

**ORDINANCE NO. O. 01-2020**

**ORDINANCE OF THE BIG BEAR AREA REGIONAL WASTEWATER AGENCY  
ESTABLISHING BIDDING PROCEDURES IN ACCORDANCE WITH THE UNIFORM  
PUBLIC CONSTRUCTION COST ACCOUNTING ACT (PUBLIC CONTRACT CODE  
SECTION 22000 ET SEQ.)**

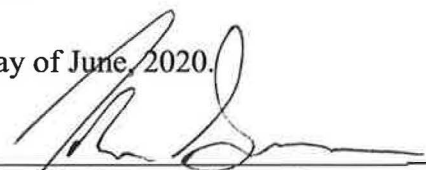
**WHEREAS**, on May 27, 2020, the Big Bear Area Regional Wastewater Agency (“Agency”) elected to become subject to the Uniform Public Construction Cost Accounting Act (“Act”); and

**WHEREAS**, the Act requires participating agencies to adopt a bidding ordinance consistent with the bidding requirements under the Act.

**NOW, THEREFORE**, the Governing Board of the Big Bear Area Regional Wastewater Agency does hereby ordain as follows:

1. The bidding procedures attached hereto as Exhibit “A” are adopted and established for all Agency public projects.
2. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are severable. This Governing Board hereby declares that it would have adopted this Ordinance irrespective of the invalidity of any particular portion thereof and intends that the invalid portions should be severed and the balance of the Ordinance be enforced.
3. The Board Secretary shall certify to the adoption of this Ordinance, and the Board Secretary shall, within fifteen (15) days of its adoption, cause this Ordinance to be posted or published in a newspaper of general circulation published and circulated in the jurisdiction of the Big Bear Area Regional Wastewater Agency. This Ordinance shall take effect thirty (30) days following its adoption.

**ADOPTED, SIGNED AND APPROVED** this 24th day of June, 2020.

  
\_\_\_\_\_  
John Green, Chair of the Governing Board of the  
Big Bear Area Regional Wastewater Agency

**Ordinance No. O. 01-2020**

ATTEST:


I, Karyn Oxandaboure, Secretary of the Big Bear Area Regional Wastewater Agency, DO HEREBY CERTIFY, that the foregoing Ordinance of the Governing Board of the Big Bear Area Regional Wastewater Agency Establishing Bidding Procedures in Accordance with the Uniform Public Construction Cost Accounting Act (Public Contract Code 22000 *et seq.*), being Ordinance No. O. 01-2020, was duly adopted at a regular meeting of the Governing Board held on the 24th day of June 2020, by the following vote:

AYES: Green, Miller, Oxandaboure, Caretto, Herrick

NOES: ∅

ABSENT: ∅

ABSTAIN: ∅

  
\_\_\_\_\_  
Karyn Oxandaboure, Secretary of the Governing Board  
of the Big Bear Area Regional Wastewater Agency

**Exhibit "A"**

**Public Projects Contract Purchasing Procedures**

**Section 1. Definitions**

For the purposes of this Public Projects Contract Purchasing Procedures, the following words and phrases shall have the following meanings:

1. **Act** means the Uniform Public Construction Cost Accounting Act (California Public Contracts Code Section 22000 *et seq.*).
2. **Agency** means the Big Bear Area Regional Wastewater Agency.
3. **Commission** means the California Uniform Construction Cost Accounting Commission.
4. **Facility** means any plant, building, structure, ground facility, utility system, subject to the limitation of subsection 4 of the definition for public project below, real property, streets and highways, or other public work improvement.
5. **Public project** has the meaning assigned to it under Public Contract Code Section 22002, as it may be amended from time to time.

**Section 2. Public Project Contracting Procedures**

The Agency shall follow the contracting procedures set forth in Article 3 of the Act (Public Contract Code Section 22030 *et seq.*).

**Section 3. Contractors List**

The General Manager, or his or her designee, shall compile and maintain a list of qualified contractors identified according to categories of work. This list shall comply with the requirements of the Act and the criteria promulgated, from time to time, by the Commission.

**Section 4. Informal Bidding – Notice**

- (a) When a public project is to be performed which qualifies for informal bidding, notice of such project shall be given as follows except where the product or service is proprietary:
  - (1) Mailed notice (by mail or electronically by email or facsimile) shall be sent to all contractors on the contractors list for the category of work being bid **or** mailed notice shall be given to all construction trade journals specified by the Commission for the receipt of such notice for San Bernardino County; **or**
  - (3) Additional notice to other contractors and/or trade journals may, in the discretion of the Agency, be given.

## **Ordinance No. O. 01-2020**

- (b) If the product or service to be acquired is proprietary in nature such that it can only be obtained from a certain contractor or contractors, notice inviting bids may be sent only to such contractor or contractors in accordance with Public Contract Code section 3400 *et seq.*
- (c) All mailing of notices to contractors and construction trade journals shall be completed not less than ten days before bids are due.
- (d) The notice shall describe the project in general terms, how to obtain more detailed information about the project and shall state the time and place for submission of bids.

### **Section 5. Award of Contracts**

The General Manager is authorized to award contracts for all public projects below the formal bidding threshold under the Act, as it may be amended from time to time. The Governing Board shall award all contracts for public projects greater than or equal to the formal bidding threshold under the Act.

### **Section 6. Rejection of Bids**

The General Manager or the Governing Board, as the case may be, may, in the General Manager's or Governing Board's discretion, reject all bids and proceed as authorized by the Act.

### **Section 7. Emergencies**

Emergency work shall be contracted for in accordance with Public Contract Code Sections 22035 and 22050.