



Legislation Text

File #: 25-0022, **Version:** 1

An Ordinance to Amend Section 1:324.5 of Chapter 14 (Purchasing, Contracting and Selling Procedure) of Title I of the City Code of Ordinances (ORD-25-01)

In January 2022, City Council adopted ordinance ORD-21-14, the Best Value Procurement Ordinance (“BVP”) consistent with voter approval of the amendment to City Charter Section 14.3. City staff continue to work with the ordinance and to make recommendations for amendments to the original framework, intended to streamline and strengthen the BVP program based on Council’s original intent. Staff has recommended minor adjustments to Section 1:324.5 regarding BVP in Chapter 14, Title I of the City Code as follows:

- Remove the requirement to evaluate bidder’s qualifications based on evidence of any quality control program and the results of any such program on the bidder’s previous projects.
- Modify the requirement to evaluate bidder’s workplace safety by allowing evidence of bidder’s safety program to be provided through a link to information on bidder’s publicly available website.
- Remove the requirement to evaluate bidder’s qualifications based on proposed use of sustainable products, technologies, or practices for the project.

The elimination of the criterion that bidders must demonstrate a quality control program is based on staff experience. Bidders are demonstrating a low-quality assurance program, which results in the same score being awarded to each bidder.

The requirement to evaluate bidder’s workplace safety by allowing a digital version of the safety program intends to reduce the physical paper submittal that was occurring with presentation of bidder’s safety manuals.

Finally, the elimination of the of the requirement to evaluate bidder’s qualification based on proposed use of sustainable products, technologies or practices is because bidders are responding to the City-specified design requirements, which do not allow for alternatives in most cases. As we move forward, it is intended that this criterion be included as a requirement within the issued Request for Proposal itself.

Budget/Fiscal Impact: The proposed changes to Chapter 14 of Title I will not have fiscal or staffing impacts. Staff worked closely with Councilmember Eyer and Councilmember Radina to finalize these changes which are consistent with City Council’s direction regarding best value procurement.

Prepared by: Marti Praschan, Interim Deputy City Administrator
Reviewed by: Michelle Landis, Senior Assistant City Attorney
Approved by: Milton Dohoney Jr., City Administrator

(See Attached Ordinance)

Sponsored by: Councilmembers Eyer and Radina