

ORDINANCE NUMBER O-19383 (NEW SERIES)

ADOPTED ON MAY 24, 2005

AN ORDINANCE AMENDING CHAPTER 2, ARTICLE 2,
DIVISION 32 OF THE SAN DIEGO MUNICIPAL CODE
BY ADDING SECTION 22.3224, RELATING TO
CONTRACTOR STANDARDS FOR CONTRACTS FOR
SERVICES.

WHEREAS, the City wishes to ensure that it contracts with businesses capable of performing contract requirements and with a record of compliance with applicable laws;

NOW, THEREFORE:

BE IT ORDAINED, by the Council of The City of San Diego, as follows:

Section 1. That Chapter 2, Article 2, Division 32, of the San Diego Municipal Code is amended by adding section 22.3224 to read as follows:

§ 22.3224 Contractor Standards

- (a) Prior to awarding a *contract* for Services greater than \$50,000, the City shall make a determination that the *bidder* has the capability to fully perform the contract requirements and the business integrity to justify the award of public tax dollars. Among the factors to be considered are:
 - (1) financial resources; (2) technical qualifications; (3) experience; (4) material, equipment, and expertise necessary to carry out the work; (5) a satisfactory record of performance; and (6) a satisfactory record of compliance with applicable statutes and regulations.
- (b) As part of its bid, proposal, or other application for a *contract* for Services, a *bidder* will be required to submit a response, under penalty

of perjury, that will seek to determine if the *bidder* meets the standards set forth in paragraph (a) of this Section.

- (c) During the term of a *contract* for Services, the contractor shall comply with all applicable state and federal laws, including health and safety, labor and employment, and licensing laws, that affect the employees, worksite or performance of the contract. Each contractor shall notify the Purchasing Agent within fifteen calendar days upon receiving notification that a government agency has begun an investigation of the contractor that may result in a finding that the contractor is or was not in compliance with said laws, or that there has been a finding by a government agency or court of competent jurisdiction of a violation of such laws by the contractor.

Section 2. That a full reading of this ordinance is dispensed with prior to its final passage, since a written or printed copy having been available to the City Council and the public a day prior to its final passage.

Section 3. This ordinance shall take effect and be in force on the ninetieth day from and after its passage.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By

Catherine M. Bradley
Deputy City Attorney

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