

FULL TEXT OF MEASURE AA
EXHIBIT "C"
PROPOSED MODIFICATIONS TO SECTION 4.03
OF THE CITY CHARTER

The people of the City of Albany modify Section 4.03 of the City Charter to read as follows:

Section 4.03 CONTRACT WORK

As used in this section, 'public project' means:

(a) A project for the erection, improvement, and repair of public buildings and works.

(b) Work in or about streams, bays, waterfronts, embankments, or other work for protection against overflow.

(c) Street or sewer work, except maintenance or repair.

(d) Furnishing supplies or materials for any such project, including maintenance or repair of streets or sewers.

The City Council shall by ordinance set threshold limits for the requirements for formal competitive bidding and shall establish such other procedures as are necessary for undertaking the completion of any public projects.

~~When the expenditure required for a public project exceeds the applicable limit under the general laws of the State of California, or such lower limit as established by ordinance of the City Council, it shall be contracted for and let to the lowest responsible bidder after notice.~~

It shall be unlawful to split or separate into smaller work orders or projects any public work project for the purpose of evading the provisions of this section requiring public work to be done by contract after competitive bidding.

The notice inviting bids shall set a date for the opening of bids. The first publication or posting of the notice shall be at least ten (10) days before the date of the opening of bids. Notice shall be published at least twice, not less than five (5) days apart, in a newspaper of general circulation published in the City, or if there is none, it shall be posted in at least three (3) public places in the City that have been designated by ordinance as the places for posting public notices. The notice shall distinctly state the project to be done.

In its discretion, the Council may reject any bids presented and readvertise. If two (2) or more bids are the same and the lowest, the Council may accept the one it chooses. If no bids are received the Council may have the project done without further complying with this section.

After rejecting bids, the Council may pass a resolution by a four-fifths vote of its members declaring that the project can be performed more economically by day labor, or the materials or supplies furnished at a lower price in the open market. Upon adoption of the resolution, it may have the project done in this manner stated without further complying with this section.

If there is a great public calamity, as an extraordinary fire, flood, storm, epidemic, or other disaster, or if it is necessary to do emergency work to prepare for a national or local defense, the Council may pass a resolution by a four-fifths vote of its members declaring that the public interest

and necessity demand the immediate expenditure of public money to safeguard life, health, or property. Upon adoption of the resolution, it may expend any sum required in the emergency without complying with this section.