

ORDINANCE NO. 3051-14

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUNNYVALE TO AMEND CHAPTER 2.08 OF TITLE 2 (ADMINISTRATION AND PERSONNEL) OF THE SUNNYVALE MUNICIPAL CODE TO AMEND THE CITY MANAGER’S REJECTION AUTHORITY FOR GOODS AND SERVICES PROCUREMENTS

WHEREAS, the Municipal Code allows for the City Manager to be the awarding authority for goods and services procurements of one hundred thousand dollars or less; and

WHEREAS, the Municipal Code allows for the City Manager to be the rejecting authority for informal competitive bids or proposals for goods and services of fifty thousand dollars or less; and

WHEREAS, the City of Sunnyvale would like to adopt uniformity in the City Manager’s awarding and rejecting authority for goods and services procurements.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SUNNYVALE DOES ORDAIN AS FOLLOWS:

SECTION 1. Chapter 2.08 AMENDED. Section 2.08.140 of Chapter 2.08 (Purchases of Goods and Services) of Title 2 (Administration and Personnel) of the Sunnyvale Municipal Code is hereby amended to read as follows:

- 2.08.140. Cancellation of Solicitations; Rejection of bids.**
- (a) [Text unchanged]
- (b) Rejection of Bids. The city manager may reject, in whole or in part, bids or proposals of one hundred thousand dollars or less. The city council may reject, in whole or in part, bids or proposals in excess of one hundred thousand dollars. If all bids are rejected, the city has the discretion to readvertise.
- (c) [Text unchanged]

SECTION 2. CEQA - EXEMPTION. The City Council finds, pursuant to Title 14 of the California Code of Regulations, Section 15061(b)(3), that this ordinance is exempt from the requirements of the California Environmental Quality Act (CEQA) in that it is not a project which has the potential for causing a significant effect on the environment.

SECTION 3. CONSTITUTIONALITY; SEVERABILITY. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such decision or

decisions shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, sentence, clause and phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid.

SECTION 4. EFFECTIVE DATE. This ordinance shall be in full force and effect thirty (30) days from and after the date of its adoption.

SECTION 5. POSTING AND PUBLICATION. The City Clerk is directed to cause copies of this ordinance to be posted in three (3) prominent places in the City of Sunnyvale and to cause publication once in The Sun, the official publication of legal notices of the City of Sunnyvale, of a notice setting forth the date of adoption, the title of this ordinance, and a list of places where copies of this ordinance are posted, within fifteen (15) days after adoption of this ordinance.

Introduced at a regular meeting of the City Council held on December 9, 2014, and adopted as an ordinance of the City of Sunnyvale at a regular meeting of the City Council held on _____, 2014, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:
RECUSAL:

ATTEST:

APPROVED:

City Clerk
Date of Attestation: _____

Mayor

(SEAL)

APPROVED AS TO FORM:

City Attorney