California Uniform Construction Cost Accounting Commission

Meeting Agenda
February 18, 2009
10:00a.m. - 11:00 a.m.

Teleconference Phone Number 877-581-9247, Participant Pass Code: 221558	
Members of the public are welcomed to attend the meeting in-person at a site listed below or via teleconference.	
Office of the State Controller 300 Capitol Mall, San Diego Room, 2nd Floor Sacramento, California 95814	Ventura County Government Center 800 South Victoria Avenue Ventura, CA 93009
Shellmaker Inc. 837 West 17th Street Costa Mesa, CA 92627	

Invitees

Commissioners:

Jeff Armstrong, Eddie Bernacchi, Robert Byrd, Guiselle Carreon, Linda Clifford, Gene Cortright, William R. Dildine, David Gomez, Jay Hansen, David McCosker, Alec Pringle, Lisa Miller-Strunk

State Controller's Office Staff:

Nancy Valle, Bureau Chief; Michael Adams, Manager; Anita Dagan, Jeanette Cosentino, Scott Taylor

1. **Call to Order**
2. **Introductions**
3. **New Business**
   Account Review decisions for the following projects:
   1. City of Ukiah Municipal Golf Course Seasonal Tributary Project
   2. City of Lindsay Library Project
4. **Adjournment**

If you would like further information regarding this meeting or require special accommodation for attending this meeting, please contact:

State Controller's Office
Jeanette Cosentino
Fiscal Analyst, Local Government Policies Section
(916) 322-9105, Jcosentino@sco.ca.gov

State of California **John Chiang, California State Controller**

Memorandum

To : Michael Havey, Chief
Division of Accounting and Reporting

Date: February 17, 2009

From : State Controller's Office
Jeffrey V. Brownfield, Chief
Division of Audits

Subject: CALIFORNIA UNIFORM PUBLIC CONSTRUCTION COST ACCOUNTING COMMISSION REVIEW – CITY OF LINDSDAY, LIBRARY PROJECT

As requested by the California Uniform Public Construction Cost Accounting Commission, the Division of Audits reviewed the records of the City of Lindsay's Library Project pursuant to Public Contract Code (PCC) section 22042(b).

The objective of our review of the City of Lindsay's Library Project (Fund 450) was to determine whether the total costs for the Library Project did not exceed the force account limit.

Our review determined that the City of Lindsay did not comply with the Public Contracts Code Section 22042(b) because total costs for the Library Project exceeded the force account limit. (see the attached schedule for details).

At the exit conference on February 10, 2009, the results of our review were discussed with Kenny Walker, City Finance Director/Treasurer. According to Mr. Walker, the total costs incurred for the city's Library Project exceeded the force account limit because the city is a charter city and, therefore, the city followed its City Ordinance.

City Ordinance No. 482, Section I (Purchasing & Contracting), states, "At the option of the City Manager an alternative purchasing and contracting procedure may be followed for any specific purchase or construction contract bid process, which procedure would follow California Government Code Sections 54205, or appropriate Public Contract Code provisions, but without compliance with the dollar limits of said Government Code or Public Contract Code Sections. The use of such alternative procedure shall be solely discretionary by the City Council or City Manager, and generally will not be followed, merely being an optional procedure which might be utilized, if desired."

Our working papers supporting our findings are complete and available for review by your staff, if needed. Please contact Steven Mar, Chief, Local Government Audits Bureau, at (916) 324-7226 to make arrangements as warranted.

JVB/wm

7257

Attachment

City of Lindsay
Schedule of Costs-Library Project

	Cost Per City
Salaries/Benefits – Force Account	$ 187,657
Materials/Supplies- Contract	951,324
Total Project Costs Per City	1,138,981
Overhead Amount on Force Account*	37,531
Total Project Costs Per SCO	$1,176,512

* The city did not compute an overhead rate. Per PPC §22017(b)(1) states, "Cities with a population of less than 75,000 shall assume an overhead rate equal to 20 percent of the total costs of a public project, including the costs of material, equipment, and labor."

State of California **John Chiang, California State Controller**

Memorandum

To : Michael Havey, Chief
Division of Accounting and Reporting

Date: February 17, 2009

From : State Controller's Office
Jeffrey V. Brownfield, Chief
Division of Audits

Subject: CALIFORNIA UNIFORM PUBLIC CONSTRUCTION COST ACCOUNTING COMMISSION REVIEW – CITY OF UKIAH, GOLF COURSE TRIBUTARY PROJECT

At the request of the California Uniform Public Construction Cost Accounting Commission, the Division of Audits reviewed the records of the City of Ukiah's Golf Course Tributary Project pursuant to Public Contract Code (PCC) section 22042(b).

The objective of our review of the City of Ukiah's project was to determine whether the total project costs for the Golf Course Tributary Project, did not exceed the force account limit.

Our review determined that the City of Ukiah did not comply with the PCC section 22042(b) because total costs for the Golf Course Tributary Project exceeded the force account limit (see the attached schedule for details).

At the exit conference on February 11, 2009, the results of our review were discussed with Jane Chambers, City Manager; Gordon Elton, Finance Director; and Leigh Halverson, Accounting Manager. Ms. Chambers stated that the City of Ukiah exceeded the force account limit because the city had incurred $1,200 in regulatory agreement payments (recorded as Permit Fees), had unanticipated labor costs of $1,345 (Chamberlain Creek crew) during the actual performance of the work, and contracted services costs for hydro seeding of $1,320.

Our working papers supporting our findings are complete and available for review by your staff, if needed. Please contact Steven Mar, Chief, Local Government Audits Bureau, at (916) 324-7226 to make arrangements as warranted.

JVB/wm

7258

Attachments:
Schedule of Costs-Golf Course Tributary Project
City of Ukiah's Response to Findings

City of Ukiah
Schedule of Costs-Golf Course Tributary Project

	(1) Cost Per City	(2) Overhead Costs * 20%	(3) Total Cost Per City	(4) Cost Per SCO (With 20% Overhead Where Applicable)	(5) Difference (Col. (4) – Col. (3))
Salaries/Benefits	$ 9,370	$ 1,874	$ 11,244	$ 11,244	$ —
Equipment	2,121	424	2,545	2,545	—
Materials	12,841	2,568	15,409	15,409	—
Hydro Seeding	1,100	220	1,320	1,100	(220)
Miscellaneous Costs (Permit Fees)	1,000	200	1,200	1,000	(200)
Contracted Services	1,121	224	1,345	1,121	(224)
Total	$ 27,553	$ 5,510	$ 33,063	$ 32,419	$ (644)

* PPC §22017(b)(1) states, "Cities with a population of less than 75,000 shall assume an overhead rate equal to 20 percent of the total costs of a public project, including the costs of material, equipment, and labor."

Law Offices Of

RAPPORT AND MARSTON

An Association of Sole Practitioners

405 W. Perkins Street
P.O. Box 488
Ukiah, California 95482
e-mail: drapport@pacbell.net

David J. Rapport
Lester J. Marston
Scott Johnson
Mary Jane Sheppard

(707) 462-6846
FAX 462-4235

February 10, 2009

State of California
State Controller's Office
Attn: Gus J. Castro
300 Capitol Mall, Suite 418
Sacramento, CA 95814

Re: City of Ukiah Golf Course Creek Enhancement Project

Dear Mr. Castro:

Section V.B of the Accounting Procedures Review provisions in the Cost Accounting Manual ("Manual") provides: "The consultant [appointed to conduct a review of a complaint] will interview the public agency involved and submit as a part of the findings a **complete statement of the public agency's position** with respect to the review being conducted." (Emphasis added.)

I have been asked to provide this letter to assist you in including in your proposed findings a complete statement of the City's position, concerning the CIFAC complaint about the City's golf course creek enhancement project. In making these points, the City does not want to give the Commission the impression that it is trying to evade its obligations under the Cost Accounting Act. All of the City departments involved in performing public projects are striving to understand and improve their performance of estimating projects and tracking the actual cost of projects. I hope the Commission takes this into account in acting on the CIFAC complaint.

1. Estimate under $30,000. As recognized in CIFAC's complaint, and as explained to you during your visit to the City, the estimate for this project was under $30,000. At the Commission meeting on February 4, 2009, in which I participated by telephone, several Commissioners expressed the opinion that if the actual cost of a project, as tracked by the public agency, exceeds the $30,000 force account limit by any amount, no matter

how little, the agency has violated the force account limit and the Commission should so determine.

As previously stated by the City, this position seems inherently unfair to participating agencies, because they have no choice but to proceed with a project by force account based on the estimated cost. Actual costs can only be determined after the decision to proceed by force account has been made. Numerous circumstances can arise which result in unanticipated costs, sometimes substantial, which will result in the actual costs exceeding the estimate, no matter how conservative the estimate is, no matter what size contingency is included in the estimate.

The Cost Accounting Manual adopted by the Commission does not appear to the City to support this interpretation by the Commission. The Manual appears to allow a project to proceed by force account based on the estimate; not actual project cost. Section II.H of the Manual provides as follows:

> Each cost element - personnel; materials, supplies, and subcontracts; equipment; and overhead - **shall be estimated for each public project. This estimation determines what bidding criteria the public project must come under**.
>
> 1. Discussion of Example
>
> **The cost of remodeling the Main Street School has been estimated in Exhibit II-3.** No standard format is required for the preparation of this estimate, but the estimate of the cost elements must be recorded to the project tracking system. An example of recording the estimate to a project ledger card is shown in Exhibit II-4. **The total cost of performing the remodeling is less than the $25,000 limit and can therefore be performed by force account**. (Manual at p. 49. Emphasis added.)

These provisions address estimating project cost and expressly state that the estimate determines on what basis the project may proceed. The example involves an estimate of cost for remodeling a school and specifically states that because the total cost estimate is under the force account limit, the project ". . . can therefore be performed by force account."

Moreover, when the Manual addresses tracking actual cost, it states: "The accurate estimating, tracking and costing of personnel costs is imperative to ensure accurate reporting and future estimating of these costs."

When read with the Manual statement that the estimate determines whether the project can proceed by force account, this statement about the purpose of tracking appears to require accurate reporting so that the information about actual cost can inform and make more accurate future estimates.

Taken together, these provisions of the Manual support determining whether a project can proceed by force account based on the estimate, not the actual cost. Actual costs must be accurately tracked so that future estimates can be refined and made more accurate. An agency should not be found to have violated the force account limit, where its estimate of project cost is less than the force account limit, even if the actual cost exceeds the limit, as long as the agency accurately tracks costs and does not repeatedly exceed estimates without substantial justification. These provisions of the Manual interpret and make specific and do not appear to conflict with Public Contract Code §22032, which refers to "Public projects of twenty-five thousand dollars ($25,000) or less [or such greater amount as is approved by the Controller]. . ." Projects "of" a stated amount could refer to projects estimated to cost that amount or the actual cost of the project. It appears within the combined rule-making authority of the Commission and the Controller to adopt the interpretation contained in the Manual.

Basing the Commission's determination on whether the actual cost exceeded the limit, regardless of the amount of the estimate and regardless of the circumstances, can place an agency attempting to comply with the limits in a no-win position. For example, if an agency decided to terminate a force account project part way through, because it could see that the actual cost was going to exceed the limit, it cannot avoid violating the limit, even if it ceased all work and went out to bid and contracted to complete the project. The cost of contracting to complete would be considered a cost in determining the actual force account cost of the project. (See Manual, p. 67.) Since that cost would exceed the force account limit, the agency would have violated the force account limit.

For all of these reasons, the City believes that the Commission must follow its own Manual and determine whether a project can proceed by force account based on the estimate, not the actual project cost.

2. Excluding regulatory approvals from cost. The Manual requires the cost of permits to be included in calculating project cost as miscellaneous costs. (Section E.1.e, p. 43.) This makes sense as to typical building permits which a contractor generally must include in a bid on a public project. However, in this case the City was required to obtain a certification from the North Coast Regional Water Quality Control Board (NCRWQCB") and an exemption or an agreement with the California Department of Fish and Game, because the project involved work on the banks of a creek. These approvals are normally obtained by the City as part of planning projects of this type and are never included in the scope of work for a publicly bid project. The City pays this cost before a project goes out to bid. For this reason, the City does not believe these costs should be included in the

cost of the project for purposes of determining whether the project can be performed by force account or should be bid. The word "permit" should be limited to permits normally obtained by the contractor, when the projects are bid.

3. Unanticipated labor costs. Parks department labor on this project cost close to $10,000. When the City began performing this project, it had planned for a substantial portion of the labor to be provided by the Chamberlain Creek work crew which performs this type of work for public agencies at a daily cost of $224. However, the City finally got approval to proceed with the project on October 17. Under the terms of the Fish and Game exemption, the City was required to complete all work that could affect the creek prior to first rain or November 1 at the latest. Because of this time constraint, the City was forced to use its own employees rather than the Chamberlain Creek work crew. As a result, the labor costs were increased by, at least, $5,000. This was unexpected and unavoidable. The City could not halt work and wait until after the rainy season, because work had already been performed which could have caused unacceptable erosion and damage to the creek. The City had no choice but to finish the work before the beginning of the rainy season, using its own employees, or risk environmental damage and potential fines or other sanctions from the regulatory agencies.

If the $1,000 to obtain the 401 Certification from the NCRWQCB and the exemption from Fish and Game were excluded, the actual cost of the project would have exceeded the force account limit by $1,800.[1] If allowance were given for the unanticipated labor costs, the actual cost would have been approximately $25,800.

The City recognizes its obligation to make accurate estimates. It is attempting to track actual costs accurately and to use that information to refine future cost estimates so that the estimate and the actual costs are the same and below the force account limit.

Very truly yours,

David J. Rapport,
Ukiah City Attorney

[1] $33,042.77 - $1,200 ($1,000 +$200 ($1000 x 20%).

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(559) 734-8762 FAX

FACSIMILE TRANSMISSION COVER SHEET

DATE: February 13, 2009

TO: CA Uniform Construction Cost Accounting Commission
Attn: Jeanette Consentino

FAX NUMBER: (916) 327-3162

NUMBER OF PAGES: 20
(Including this page)

COMMENTS: **Re: Construction Industry Force Account Council**
City of Lindsay Library Project

FROM: Julia Lew

☐ HARD COPY TO FOLLOW

☐ **NO** HARD COPY TO FOLLOW

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February 13, 2009

[VIA FAX: (916) 327-3162 and U.S. MAIL]

California Uniform Construction Cost Accounting Commission
Attention: Jeanette Consentino, Fiscal Analyst, State Controller's Office
Office of State Controller
P.O. Box 942850
Sacramento, California 94250

Re: Construction Industry Force Account Council (CIFAC) complaint re: City of Lindsay Library Project

For Commission Meeting on February 18, 2009

Dear Commissioners:

I am the City Attorney for the City of Lindsay, and the City has requested that I respond concerning the City's opinion that its Charter, and not the Uniform Cost Accounting Act, governs its public contracting procedures.

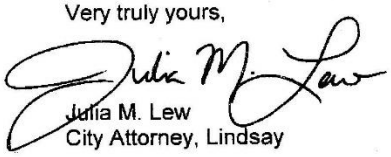
Until 1996, the City of Lindsay was a "general law" city. On April 17, 1995, the City elected to become subject to cost accounting procedures set forth in the Act via its Resolution No. 95-20 (a copy of which is attached hereto). However, on January 8, 1996, the City Council approved the final draft of the Proposed Charter of the City of Lindsay. The Charter was approved by the voters of the City of Lindsay at a Special Election on April 9, 1996. The Charter is essentially the City's "constitution."

The Charter provisions clearly supersede any public contracting procedures utilized prior to its adoption, including the election of the uniform cost accounting procedures opted into by the City in 1995. Section 8.11 explicitly provides that the City shall establish its purchasing and contracting system by ordinance, that said regulations shall establish an informal bidding limit of $74,999 and a formal bidding limit for projects involving expenditures of $75,000 or more, that said limits shall be adjusted annually by consumer price indices, and that the regulations shall set forth a procedure for determining which projects can be performed by City forces versus via contract (see Section 8.11.J). In September 1996, the City Council adopted detailed purchasing and contracting procedures (Ordinance No. 482). With regard to public works by City forces, Section 3.04.200 provides that the City Manager may determine which public works projects may be performed by City forces, or what portions of any public works project which is to be bid are to be performed by City forces.

The adoption of the Charter in 1996 (and subsequent adoption of Ordinance No. 482) effected an opting out by the City of the voluntary State cost accounting program, because the City could not legally follow the State procedures without violating its own Charter. Therefore, there has been no attempt by the City to follow a program that it no longer views itself a part of.

In addition to Resolution 95-20, I have attached Section 8.11 of the City's Charter and Ordinance No. 482 for your reference. Please don't hesitate to contact me if you have any comments or questions. Thank you.

Very truly yours,



Julia M. Lew
City Attorney, Lindsay

cc: Scot Townsend, City Manager
Kenny Walker, City Clerk
Mike Camarena, City Services Director

E:/julia/mkjl/Lindsay/general/cuccacltr021309.doc

RESOLUTION NO. 95-20
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LINDSAY ADOPTING UNIFORM PUBLIC CONSTRUCTION COST ACCOUNTING PROCEDURES.

At a regularly scheduled meeting of the City Council of the City of Lindsay, held on the 17th day of April, 1995, at the hour of 7:00 p.m. of said day, in the Council Chambers at City Hall, 251 East Honolulu, Lindsay, California 93247, upon motion of Councilperson HILL, second of Councilperson STAVA, the following resolution was adopted:

THAT WHEREAS, prior to the passage of Assembly Bill No. 1666, Chapter 1054 Stats. 1983, which added Chapter 2 commencing with Section 22000 to Part 3 of Division 2 of the Public Contract Code, existing law did not provide a uniform cost accounting standard for construction work performed or contracted by local public agencies; and

WHEREAS, Public Contract Code Section 22000 et seq., the Uniform Public Construction Cost Accounting Act, establishes such a Uniform Cost Accounting Standard; and

WHEREAS, the Commission established under the Act has developed uniform public construction cost accounting procedures for implementation by local public agencies in the performance of or in the contracting for construction of public projects;

NOW, THEREFORE, BE IT RESOLVED that the City Council the City of Lindsay hereby elects, under Public Contract Code Section 22030, to become subject to the uniform public construction cost accounting procedures set forth in the Act and to the Commission's policies and procedures manual and cost accounting review procedures, as they may each from time-to-time be amended, and directs that the City Clerk notify the State Controller of this election.

PASSED AND ADOPTED by the City Council of the City of Lindsay this 17th day of April, 1995, by the following vote :

AYES:	HENDRICKS, RIOS, HILL, STAVA, SAUCEDO.
NOES:	NONE.
ABSENT:	NONE.
ABSTAIN:	NONE.

ATTEST:

Bobbi Paul

Bobbi Paul, City Clerk

CITY COUNCIL OF THE CITY OF LINDSAY

Valeriano Saucedo

Valeriano Saucedo, Mayor

CITY CLERK CERTIFICATION

I, Bobbi Paul, City Clerk of the City of Lindsay do hereby certify that the foregoing is a full, true and correct copy of the original resolution made and entered into by the City Council of the City of Lindsay at a regular meeting duly called and held on April 17, 1995, as the same appears of record and on file in my office. WITNESS my hand and official City Seal of Lindsay.

Bobbi Paul

Bobbi Paul, City Clerk

Date: April 18, 1995

CHARTER OF THE CITY OF LINDSAY

January 8, 1996

Sections:

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NAME, BOUNDARIES AND FORM OF GOVERNMENT

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1.02 Boundaries.
1.03 Form of Government.

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2.03 Municipal Affairs.
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CHARTER OF THE CITY OF LINDSAY, CALIFORNIA
January 8, 1996

Vision Statement:

The citizens of the City of Lindsay do enact this Charter to form a better City government for all citizens of the City, to provide for the public health, safety, welfare and morals of its residents, property owners and businesses, and to preserve and to enhance the quality of life for ourselves, our families, our neighbors, and our businesses, for now and the future.

ARTICLE I

NAME, BOUNDARIES AND FORM OF GOVERNMENT

Section 1.01 Name.

The municipal corporation now existing and known as the City of Lindsay shall remain and continue to exist as a municipal corporation under the name "City of Lindsay", but as a California Constitution Home Rule Charter City.

Section 1.02 Boundaries.

The boundaries of the City of Lindsay shall be as now established, and may be changed in the future as provided by law, by this Charter, or by ordinance.

Section 1.03 Form of Government.

The organizational form of government under which the City of Lindsay shall operate shall be that which is commonly known as "The Council-Manager Plan".

ARTICLE II

POWERS, DUTIES AND OBLIGATIONS OF THE CITY

Section 2.01 Powers of the City.

The City shall have all powers possible for a city to have under the Constitution and laws of the United

B. Payment Restrictions. No payment shall be made or obligation incurred against any appropriation except in accordance with appropriations duly made by the Council and unless the City Manager or his/her designee first certifies that there is a sufficient unencumbered balance in such appropriation and that sufficient monies therefrom are or will be available to cover the claim or meet the obligation when it becomes due and payable.

C. Illegal Payment. Any authorization of payment or incurring of obligation in violation of the provisions of this Charter shall be void and any payment so made illegal.

D. Securities Exception. Nothing in this Charter shall be construed to prevent the making or authorizing of payments or making of contracts for capital improvements to be financed wholly or in part by the issuance of municipal securities, or to prevent the making of any contract or lease providing for payments beyond the end of the fiscal year provided such contract or lease is not explicitly prohibited by the provisions of the California Constitution.

E. Constitutional Limitation. The status of the City budget and finances shall in all respects at all times be in compliance with California Constitution Article XVI, Section 18.

Section 8.08 Lapse of Appropriations.

A. When Lapse. Every appropriation, except as provided for herein, shall lapse at the end of the fiscal year to the extent that it has not been expended or encumbered.

B. Capital Outlay Appropriations. All appropriations for capital outlay items shall continue in force until expended, revised or repealed. The purpose of any such capital outlay appropriation shall be deemed abandoned after three years pass without disbursement from or encumbrance against the appropriation.

C. Other Exemptions. Appropriations involving trust and agency accounts and reserves shall not lapse until specifically provided either by the annual budget or separate resolution.

Section 8.09 Capital Program and Budget.

A. Five Year Program. The City Manager annually shall prepare and submit to the City Council a five year Capital Program, which Program shall be submitted as a separate part of but be considered by the Council concurrent with the Annual Budget.

B. Program Contents. The Capital Program shall include but not be limited to the following:

1. A general summary of its contents;
2. A list of all capital improvements and other capital expenditures which are proposed to be undertaken during the five fiscal years next ensuing, with appropriate supporting information as to the necessity for each improvement or proposed expenditure;
3. Cost estimates and recommended time schedules for each improvement or other capital expenditure;
4. Method of financing for each improvement or other capital expenditure; and,
5. The estimated annual cost of operating and maintaining the facilities or equipment to be constructed or acquired.

C. Capital Program Adoption. The Capital Program shall be a part of and adopted as part of the Annual Budget.

Section 8.10 Public Documents.

Copies of the annual budget and message, the annual audit, the annual financial report if it be a separate document, and all appropriate summarizing documents shall be filed with the City Clerk as permanent public records, and shall be made available to the public for inspection and review.

Section 8.11 Purchasing and Contracting.

A. By Ordinance. The Council by ordinance shall provide for a purchasing and contracting system assuring a maximum of competition for the lowest price consistent with a stated level of quality.

B. The Basic System. The Purchasing and Contracting Ordinance shall provide for and comply with all provisions of this Section and of this Charter, but not be limited to:

1. Control of the system by the City Manager, who shall be empowered to make purchases and to

award contracts for amounts of $25,000 or less, annually adjusted in amount as set out herein;

2. Delegation of responsibility by the City Manager to any appointed subordinate;

3. A requirement that should contracts or purchases in amount of $25,000 or less be awarded to any one vendor or contractor cumulatively totalling $75,000 in any three year period then, in that event, the competitive process set out herein shall be followed prior to the award of subsequent contracts to such vendor or contractor, should such process otherwise be required;

4. An informal bid solicitation process for purchases and contracts in amount between $25,001 and $74,999, which amounts shall be adjusted annually in amount as set out herein;

5. The acquisition of the services of professional service providers in such a manner that specialized abilities and knowledge shall be considered in addition to quality and price and, if appropriate as determined by the City Manager, without the competitive processes set out herein;

6. Additional procedures and requirements to fulfill the provisions of this Section and this Charter; and,

7. Such other matters as shall be determined to be required by the City Council.

C. Award of Contracts and Purchases. Award of contracts and purchases shall be made to the lowest responsible bidder or vendor meeting specifications, except as provided herein and in the Purchasing and Contracting Ordinance.

D. Sealed Competitive Bids. Sealed bids for competitive purchases involving the expenditure of $75,000 or more shall be secured, but this amount and all dollar amounts set out in this Section shall be revised by the Council annually as part of the annual budget by a revision factor determined by utilizing published reliable indicators or indices of price changes.

E. Waiver of Bids. Waiver of competitive bidding for purchase of non-competitive items and contracting for services is permitted in emergencies, for copyrighted and patented items and services, and for professional or specialized services for which a written finding is filed with the City Clerk regarding the reason for such non-competitive, emergency or sole source acquisition.

F. Prohibitions. Splitting contracts or purchases to avoid dollar limits is prohibited.

G. Rejections. The City Council may reject any and all bids for any good or service.

H. Bid Bonds. A bid bond or cashiers check shall be required for all sealed bids.

I. Public Notification. The City Manager shall cause full public notification of all calls for sealed bids by providing ten days notice through publications appropriate to the subject of the call for bids.

J. Public Works Determination. The Purchasing and Contracting Ordinance shall set out a procedure for determination of which public works or improvement projects are to be performed by City forces and which are to be let to contract.

K. Bidding and Wages. The City Council may by ordinance or resolution adopt prevailing wage, geographic boundaries and other guidelines and restrictions, including local bidding preference, governing public works and other City contracts.

Section 8.12 Miscellaneous Fiscal Procedures.

A. By Ordinance. The City Council by ordinance shall provide for the following, and other appropriate and necessary fiscal and financial procedures, which procedures shall comply with State law unless the ordinance specifies otherwise:

B. Petty Cash. The creation, administration and control of petty cash accounts;

C. Claims and Demands. The receipt and disposition of claims and demands against the City;

D. Warrants and Checks. Issuance and redemption of warrants, if any, and checks drawn on the City treasury, and;

E. Actions. Legal actions against the City.

(12)

Atty's Julia

ORDINANCE NO. 482

AN ORDINANCE OF THE CITY OF LINDSAY, REPEALING TITLE 3, CHAPTER 3.04.010 TO 3.04.170, INCLUSIVE, OF THE LINDSAY MUNICIPAL CODE, AND ENACTING AND ADDING A NEW TITLE 3, CHAPTER 3.04 CONSISTING OF SECTIONS 3.04.010 TO SECTIONS 3.04.260, INCLUSIVE, TO THE LINDSAY MUNICIPAL CODE AS THE SAME RELATES TO PURCHASING AND CONTRACTING.

WHEREAS, April 17, 1996 the City of Lindsay officially became a Charter City; and

WHEREAS, certain provisions of the Charter of the City of Lindsay either conflict with or are not fully covered in the ordinances of the City of Lindsay as the same pertains to the City Purchasing and Contracting System; and

WHEREAS, it is necessary and desirable to make the Lindsay Municipal Code conform with the Lindsay City Charter; and

WHEREAS, it is the purpose of this ordinance to establish, clarify and modify the purchasing and contracting system created by the City Charter, Lindsay Municipal Code, or this ordinance; and

WHEREAS, the City Council wishes to deviate from State General Law so as to secure cost savings and to effect procedural economies;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LINDSAY DOES ORDAIN as follows:

ARTICLE I. This ordinance may be referred to as "The Purchasing and Contracting Ordinance".

ARTICLE II. Title 3, Chapter 3.04, consisting of Sections 3.04.010 through 3.04.170 of the Lindsay Municipal Code is hereby repealed.

ARTICLE III. A new Title 3, Chapter 3.04, consisting of Sections 3.04.010 through 3.04.260 are hereby added to the Lindsay Municipal Code, and shall provide as follows:

TITLE III
CHAPTER 3.04

Sections	
3.04.010	Authority.
3.04.020	Limitation.
3.04.030	Purchasing Officer Duties.
3.04.040	Purchasing Procedures Generally.
3.04.050	Specifications.
3.04.060	Annual Adjustment of Limits.
3.04.070	Informal Purchases Procedure.
3.04.080	Informal Bid Procedure.
3.04.090	Formal bid Procedure.
3.04.100	Professional and Specialized Services.
3.04.110	Federal Grant Requirements.
3.04.120	Receipt of Goods and Services.
3.04.130	Cooperative Purchasing.
3.04.140	Emergency Procedures

3.04.150 Local Preference.
3.04.160 Central Stores.
3.04.170 Purchase Orders.
3.04.180 Estimates of Requirements.
3.04.190 Inventory and Status Reports.
3.04.200 Public Works by City Forces.
3.04.210 Bid Wage Determinations.
3.04.220 Contract Bulk Purchases.
3.04.230 Electronic Purchase Procedure.
3.04.240 Security for Public Works Projects.
3.04.250 Changes in Procedures.
3.04.260 Definitions.

Section 3.04.010. Authority
The provisions of this chapter are adopted pursuant to Section 8.11 of the Lindsay City Charter.

A. The City Manager shall have control of the City purchasing and contracting system, and may delegate such authority by written Executive Order as is permitted by this Code, resolutions, and rules and regulations promulgated in conformance therewith.

B. The Finance Director is hereby designated as the Purchasing Officer and shall have such duties as set out herein.

Section 3.04.020. Limitation
Contracts and purchases made in accordance with Section 3.04.070 cumulatively totaling $75,000, or more, in any three year period awarded to any one vendor or contractor are prohibited, such being evidence of "bid splitting", which practice is prohibited.

A. In such event vendor or contractor shall be required to comply with the competitive bidding process set out in this Code prior to being awarded a further contact or purchase order within the three year period.

B. Splitting contracts or purchases to avoid dollar limits set out in this Chapter is prohibited.

Section 3.04.030. Purchasing Officer Duties
The Duties and responsibilities of the Purchasing Officer shall be to :

A. Purchase or contact for all supplies,equipment and contractual personal services, excluding professional services, needed by all City departments or agencies which derive financial support wholly or in part from the City, in accordance with purchasing procedures as prescribed by this Chapter, relevant administrative regulations and such rules and regulations as the Purchasing Officer shall adopt and the City Manager approve;

B. Negotiate and recommend execution of contracts for the purchase of supplies and equipment and for the contacting for services from the lowest responsible bidder;

C. Act to procure for the City acceptable quality of supplies, equipment and services at the least expense to the City;

D. Discourage uniform bidding by purveyors and induce full competition on all purchases and for all purchases and contracts;

E. Adopt administrative regulations, subject to prior approval of the City Manager, including revisions and amendments thereto, governing the purchase of goods and the contracting for services or supplies and equipment for the City;

F. Keep informed of current developments in the field of purchasing and contracting, price, costs, market conditions, new products and new contractual situations prevailing in the industries which might be supplying goods or services to the City;

G. Prescribe, design and issue forms needed for the operation of the procedures and requirements set out in this Chapter, and such other applicable rules as may seem necessary to fulfill the requirements of this Chapter;

H. Regulate the transfer of surplus property between departments as needed, or sell or otherwise dispose of surplus property when designated as such by other department heads or City Manager;

I. Maintain a bidders list, vendors and contractors catalog file , and such other records as might be used in modern procurement;

J. Assure that every bidder complies with all applicable City, State and Federal health, employee, safety and occupational laws and regulations;

K. Such other matters as shall be required to fulfill the requirements and procedures of this Chapter, the City Charter and requirements of the City Council and the City Manager.

Section 3.04.040. Purchasing Procedures Generally

Generally, the purchasing procedures of the City shall consist of the following:

A. Determination of requirements by the Purchasing Officer, in consultation with the requesting department heads;

B. The negotiation of or processing of appropriate procurement actions;

C. Referral of bids to using departments or agencies for analysis and recommendation;

D. Award of purchase order or contract to the lowest responsible bidder;

E. Supervision of receipt and acceptance procedures;

F. Approval of invoices for payment.

Section 3.04.050. Specifications.

As needed, the Purchasing Officer, in conjunction with using departments or agencies, shall develop standard specifications for repetitively procured items and services.

A. Every specification shall be prepared to assure the broadest possible bidder participation, consistent with the needs of the using agency.

B. Alternative specification provisions for any particular bid invitation may be established with concurrence of the Purchasing Officer and the using department or agency.

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Section 3.04.060. Annual Adjustment of Limits

Annually, as part of the City Budget, City Staff shall provide data and the City Council shall adopt new dollar limits affecting Sections of this Chapter in which dollar limits are set out.

A. Such dollar limits for purchases of goods and supplies shall be adjusted by the same percentage as the Municipal Price Index (MPS), as determined by City & County Magazine, shall have changed during the prior calendar year, either upward or downward.

B. Such dollar limits for construction and equipment purchases and contracts shall be adjusted by the same percentage as the McGraw Hill Index of Construction Prices shall have changed during the prior calendar year, either upward or downward.

Section 3.04.070. Informal Purchases Procedure

The City Manager may delegate in writing to the department heads, Purchasing Officer or other City Officer as he shall determine, the authority to make purchased and to contract for items and services involving less than $25,000. Such delegated authority shall be exercised as set out in this Section, and shall be subject to other applicable provisions of this chapter.

A. Purchases under this Section shall be based whenever possible on competitive quotations and award to the the lowest responsible bidder;

B. Either verbal or written quotations shall be received from prospective vendors or contractors, and notations made thereof in every case involving any purchase or contract of amount greater than $5,000.

C. Verbal or written quotations shall be solicited and received from prospective vendors or contractors and made a part of the file for each specific proposed acquisition of goods or services involving expenditures of $5,001 up to and including $25,000.

D. A written and signed statement of the City Officer or employee who made such solicitation shall be included as a part of each purchase order issued under the provisions of this Section, which statement shall swear under penalty of perjury that the procedures set out in this Section were compiled with and that the award was made to the lowest responsible bidder;

E. Award of all contracts and purchases made pursuant to the procedures of this Section shall be made to the lowest responsible bidder or vendor meeting specifications, except as specifically otherwise authorized by this Chapter.

Section 3.04.080. Informal Bid Procedure

All purchases and contracts involving amounts between $25,001 and $74,999 shall be purchased and contracted for only under the procedures set out in this Section.

A. Award of all contracts and purchases made pursuant to the procedures of this Section shall be made to the lowest responsible bidder or vendor meeting specifications, except as specifically otherwise authorized in this Chapter.

B. Written quotations shall be secured in all cases from at least three prospective and qualified vendors or contractors, and such quotations shall be made a part of the file of each purchase made or contract awarded under this Section. Such file shall be maintained for three years after award of the contract or purchase order.

Section 3.04.090. Formal Bid Procedure

The procedure set out in this Section shall be utilized for all purchases or contracts involving amounts of $75,000 or more.

A. Award of all contracts and purchases made pursuant to the procedures of this Section shall be made to the lowest responsible bidder meeting specifications, except as specifically otherwise authorized by this Chapter.

B. Written specifications and plans, if appropriate, shall be prepared for all purchases proposed to be made and contracts proposed to be awarded under this Section. Such specifications and plans, together with the deadline for and place to file sealed bids with the City, and other requirements, shall be circulated to publications appropriate to the subject of the call for bids, posted at City Hall, and advertised in a legally adjudicated newspaper in geographic areas appropriate to reaching prospective bidders.

C. Such notices and advertisements shall be designed to cause full public notification of all calls for sealed bids by providing at least ten days written notice to prospective bidders prior to the proposed deadline for the receipt of sealed bids.

D. Sealed bids shall be accompanied by a bid bond or cashiers check in amount set forth by the City Manager, and failure to include such bid bond or cashiers check with any bid shall be disqualifying.

E. Sealed bids shall be received and opened by the City Official designated by the bid call, at the place an time specified in said bid call.

F. A written analysis shall be made of all sealed bids received under the procedures of this Section, and shall contain information relative to all bidders, including a recommendation by the affected department head and the City Manager as to which bidder is recommended to be the lowest responsible bidder.

G. The City Council shall award, or may reject, all purchases or contracts developed under the procedures of this Section and proposed to be awarded pursuant to this Section.

H. All bid calls shall contain a statement that the City Council may reject any and all bids for any goods or service, and may cancel any call for bids at any time in the process.

I. At the option of the City Manager an alternate purchasing and contracting procedure may be followed for any specific purchase or construction contract bid process, which procedure would follow California Government Code Sections 54205, or appropriate Public Contract Code provisions, but without compliance with the dollar limits of said Government Code or Public Contract Code Sections. The use of such alternate procedure shall be solely discretionary by the City Council or City Manager, and generally will not be followed, merely being an optional procedure which might be utilized, if desired.

Section 3.04.100. Professional and Specialized Services

The acquisition of copyrighted and/or patented items and services for which there is no reasonable alternative which is of equal to or of better quality or nature shall be made by following the procedures set out in this Section.

A. The purchase order or contract award for such professional or specialized services or materials shall have a copy of a statement attached thereto by both the vendor or contractor and the City Manager stating the reasons and the specific copyright or patent circumstances which have given rise to the invoking of this exception to the competitive acquisition process set out in this Chapter.

The original of such statement shall be filed with the City Clerk.

B. Professional or specialized services which involve a qualitative judgment in addition to qualitative and dollar amount shall be involved when the procedure set out in this Section is utilized.

C. When this exception to the competitive purchasing and contracting procedures set out in this Chapter is utilized, a written finding shall be filed with the contract and the City Clerk regarding the reason for such non-competitive acquisition and, further, the process utilized in the selection of contractors to be interviewed, the interview process used, those firms contacted and interviewed, and the results of such interviews, cumulatively which shall have resulted in the decision to award the contract to which the contract was subsequently awarded.

D. The criteria utilized for exception to the competitive process of this Chapter in paragraphs B and C of this Section:

1. Shall be a requirement for specialized abilities and knowledge in addition to quality and price,

2. Shall not be utilized without the prior written approval of the City Manager.

E. Professional Services means work performed by specially trained and experienced persons, firms or corporations rendering professional services and advice such as accounting, auditing, financial advisory, securities underwriting, legal, medical, engineering, architectural, environmental, economic, real estate, insurance, appraisals, lobbying,public relations, ordinance codification and publication, or similar such highly specialized services.

Section 3.04.110. Federal Grant Requirements
All supplies, equipment, construction and services for federally-assisted grant or loan programs shall be procured in accordance with "Attachment O" of "OMB Circular No.A-102", contained in the "Standards Governing State and Local Grantee Procurement".

Section 3.04.120. Receipt of Goods and Services
The using department or agency shall inspect all goods and equipment, and

A. Certify to the Finance Director that all goods and services received conform in quality and quantity with the specifications accompanying the purchase order for such goods and services.

B. Before payment is authorized, satisfactory receipt of goods and services must be certified as prescribed in the administrative regulations governing processing of purchase orders and contracts.

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Section 3.04.130. Cooperative Purchasing
Without complying with other Sections of this Chapter, the Purchasing Officer may participate in, sponsor, conduct or administer a cooperative purchasing agreement for the procurement or any supplies, equipment, service or construction with one or more public procurement units, in accordance with an agreement entered into between the participants.

A. Such cooperative purchasing may include, but not limited to joint or multiparty contracts between public procurement units, and
B. Open-ended State public procurement contracts which are made available to the City.

Section 3.04.140. Emergency Purchases
The provisions of this Chapter may be waived when the following circumstances exist:

A. During emergencies which have been declared by a unanimous vote of the City Council, or by order of the Governor or President, which emergency shall encompass the City and/or its services.

B. An emergency determined by the City Manager and the Purchasing Officer if:

1. There is a great public calamity; or

2. There is immediate need to prepare for national or local defense; -or-

3. There is a breakdown in machinery, equipment or essential service which requires immediate purchase of supplies and equipment to protect public health, welfare or safety; -or-

4. An essential departmental operation affecting the public health, welfare or safety would be greatly hampered if the prescribed purchase would cause an undue delay in procurement of the needed item or service.

C. A statement of the nature of the declared emergency shall be attached to each purchase order issued pursuant to the provisions of this Section.

D. The Purchasing Officer is authorized to make emergency purchases for all supplies, equipment and services which cost $10,000 or less, the City Manager is authorized to make such purchases which cost $25,000 or less, but the city council shall authorize any such purchases in amount exceeding $25,000.

Section 3.04.150. Local Preference
To promote the economic health of the City and to encourage local participation in the City procurement process, the City, in determining the lowest responsible bidder, may take into consideration the sales tax which would be returned to the City, as well as reduced delivery costs, service and any other savings features that are known of as a result of the award to a bidder who has an established place of business within the Lindsay City Limits.

Section 3.04.160. Central Stores
Selected commodities with recurring high usage rates may be stocked and issued from Central Stores under the direction and control of the Purchasing Officer.

A. The Purchasing Officer shall examine usage rates for various commodities and, in coordinating with using department, expend or reduce the quantities and types of items in such Central Stores.

B. Central Stores items shall be replenished as needed from the Purchasing Revolving Account through regular purchasing procedures.

C. Inventory levels of commodities on hand in Central Stores shall be determined by the Purchasing Officer, based on economic and demand factors.

D. Detailed instructions for ordering and accounting methods for such Central Stores shall be set forth in administrative regulations governing such operation.

Section 3.04.170. Purchase Orders

Purchase of supplies and equipment and the award of public works contacts shall be made in accordance with prescribed administrative regulations governing the preparation and issuance of purchase orders. Except as otherwise prescribed in this Chapter, the administrative regulations the preparation and issuance of purchase orders. Except as otherwise prescribed in this Chapter , the administrative regulations governing purchasing and contracting shall establish responsibilities for the signing and processing of purchase orders, and no exceptions may be made unless specifically provided for in said regulations.

Section 3.04.180. Estimates of Requirements

All using departments or agencies shall file detailed estimates of their requirements for supplies and equipment in such a manner, at such a time, and for such future periods as the Purchasing Officer may request.

Section 3.04.190. Inventory and Status Reports

Each using department or agency shall submit at lest annually to the Purchasing Officer, or more often if required, in the form and manner he shall prescribe, reports describing all supplies, equipment, materials, fixtures and other personal property of the City in the custody of the department or agency which personal has become obsolete or unserviceable.

A. Subject to the provisions of subsection E of this Section, the Purchasing Officer is authorized from to sell or to exchange any and all such supplies or unserviceable equipment, materials, fixtures and other personal property of the City, including trade-in value if such property is to be replaced.

B. The purchasing Officer may sell for the best price obtainable on the open market or, when he deems it advisable, to the highest bidder at public sale, or he may exchange such surplus property for credit on other property.

C. In the event the Purchasing Officer determines that any such obsolete or surplus property has no salvage value he may dispose of it as he deems advisable.

D. All sales of such surplus or obsolete personal property shall be for cash or certified check or money order payable to the City.

E. The Purchasing Officer shall have authority to sign bills of sale and any other papers or documents for and on behalf of the City evidencing transfer of title of the property.

F. Prior to disposing of any obsolete or surplus personal property having an apparent market value in excess of $25,000 the Purchasing Officer shall inform the City Council of the nature of the personal property proposed for disposition and the price offered and shall obtain the Council's approval for such disposition.

Section 3.04.200. Public Works by City Forces

The City Manager may determine which public works projects may be performed by City forces, or what portions of any public works project which is to be bid to be performed by City forces and thus excluded form such bid process.

A. Such determination shall be made by the City Manager after consultation with the appropriate City department head, and shall take into consideration the skills and abilities, wage and benefit rates, and time availability of the specific City employees who would be involved in such specific public works project.

B. Reasons for the decision made by the City Manager shall be filed with the bid documents should such project be performed in part by City forces, and in the construction files for the project should such public works project be performed in whole by City forces.

Section 3.04.210. Bid Wage Determination

Each public works project proposed to be put to sealed bid pursuant to the procedures set out in Section 3.04.090 of this Chapter shall have as apart of such bid call a statement by the City Manager as to the requirement for the payment of wage rates by bidders, any geographic coverage of such proposed wage rates, and any other appropriate guidelines and restrictions on the payment of wages by prospective contractors to their employees.

A. Unless otherwise specified, all City Public Works, purchasing and acquisition contracts shall make no provision for payment of so-called prevailing wages, City bid documents to stipulate that whatever wages as may be necessary for the bidder to submit a reasonable bid may be utilized by the bidder.

B. In such bids as the City shall, by grant contract, be obligated to require as a precedent to the retention of such grant contact, that California State Department of Labor-determined "prevailing wage" rates shall be utilized, or Federal Davis-Bacon Act wage rates shall be utilized, then, in that event, subsection A of this Section shall be suspended and not applicable.

C. Insofar as is possible, bidders which agree to employ persons to work on specific project bids are being submitted, and such employed persons live within the City Limits of the City of Lindsay, then those bidders shall be provided preference in the award of bids by the City.

D. Bidders who have their headquarters within the City Limits of the City of Lindsay, who pay a business license tax to the City, and who agree to employ persons resident within the City of Lindsay, shall be provided added preference in the award of public works contracts by the City, insofar as is possible.

SECTION 3.04.220. Contract Bulk Purchases

Purchase contracts to supply the City's needs may be entered into for up to three years for specified types and groupings of goods or services, provided that the procedures of this Chapter are complied with.

Section 3.04.230. Electronic Purchase Procedure
Purchases may be made via electronic data transfer of data, provide the intent and substance of the requirements of this Chapter are met.

Section 3.04.240. Security for Public Works Projects. All contracts for the construction of a public works project in an estimated amount of $75,000 or greater shall require the contacting party to furnish security for the completion of the project and the payment of labor, materials and equipment .

A. The provisions of Chapter 5 of Division 2 of Title 7 of the California government Code (Sections 66499 through 66499.10) as the same now reads or is hereafter amended shall govern the kind of security (G.C. Section 66499); the form of bond (G.C. Section 66499.1 and 66499.2); the amount of the security (G.C. Section 664.99.3); the costs, expenses, and fees included in the amount of the security (G.C. Section 66499.4); the provisions for reduction of improvement security (G.C. Section 66499.5); exemption of security from enforcement of money judgment (G.C. Section 66499.6); release of security (G.C. Section 66499.7); restriction on release of security (G.C. Section 66499.8); limitation on security on security liability (G.C. Section 66499.9); and party against whom suit on security maintained (G.C. Section 66499.10).

B. Said Government Code provisions are incorporated are incorporated in this Section of this Chapter by reference, as if fully set forth herein.

Section 3.04.250. Changes in Procedures
Changes in the general method or policy of purchasing and contracting by the City and the operation of Central Stores, shall be made only by amending this Chapter.

Changes affecting only the details or forms used in the administration of these provisions concerning Purchasing Officer or City Manger as administrative revision to the pertinent procedural regulations.

Section 3.04.260. Definitions
Lowest Responsible Bidder means the lowest bidder whose offer best responds in quality, fitness and capacity to the requirements of the proposed work or usage, as specified.

In determining the lowest responsible bidder the following shall be considered, in addition to price:

A. The quality of supplies offered;

B. The ability, capacity and skill of the bidder to perform the contract or to provide the supplies or services required;

C. Whether the bidder can perform the contract or provide the supplies or services promptly, or within the time specified, without delay or interference;

D. The sufficiency of the bidder's financial resources and the effect thereof on his ability to perform the contract or to provide the supplies or service;

E. The character, integrity, reputation, judgment, experience, and efficiency of the bidder;

F. The quality of the bidder;s performance on previous orders or contracts for the City;

G. Litigation by the bidder on previous orders or contacts with the City;

H. Previous and existing compliance by the bidder with local laws and ordinances relating to the subject of the purchase or contact;

I. The ability of the bidder to provide future maintenance and service where such maintenance and service is essential.

ARTICLE V: All City Ordinances, resolutions or other actions are in force when this Ordinance becomes effective are repealed to the extent that they are inconsistent with this Ordinance.

ARTICLE VI: If any provision of this Ordinance is held to be invalid the other provisions of this Ordinance shall not be affected thereby. If the application of this Ordinance or any of its provisions to any person or circumstance is held invalid, the application of this Ordinance and its provisions or circumstances shall not be affected thereby.

ARTICLE VIII: This Ordinance shall become effective thirty (30) days from and after its final passage and adoption, after publication of a summary thereof, or in full text in the official City newspaper.

THIS ORDINANCE WAS INTRODUCED and the title thereof read at the regular meeting of the City Council of the City of Lindsay on the 3rd day of September, 1996; and

PASSED, APPROVED, AND ADOPTED at a regular meeting of the City Council of the City of Lindsay called and held the 16th day of September, 1996.

For the
CITY COUNCIL OF THE CITY OF LINDSAY

Valeriano Saucedo, Mayor

ATTEST:

Bobbi Paul, City Clerk

CITY OF LINDSAY)
COUNTY OF TULARE) CITY CLERK CERTIFICATION
STATE OF CALIFORNIA)

I, Bobbi Paul, City Clerk of the City of Lindsay, do hereby certify that the foregoing is a full, true and correct copy of the original Ordinance No. 482, introduced by title only at a regular meeting of the City Council of the City of Lindsay on the 3rd day of September, 1996; and adopted by the City Council of the City of Lindsay at a regular meeting duly held on the 16th day of September, 1996, on motion of STAVA, second of HENDRICKS, by the following vote, as the same appears of record and on file in my office:

AYES:	HENDRICKS, HILL, RIOS, STAVA, SAUCEDO.
NOES:	None.
ABSENT:	None.
ABSTAIN:	None.

WITNESS my hand and Corporate City Seal of the City of Lindsay this 17th day of September, 1996.

OFFICE OF THE CITY CLERK OF LINDSAY

Bobbi Paul, City Clerk

CIFAC construction industry force account council

D. A. McCosker, President | Cedric Porter, Vice President | Steve Harris, Secretary | Michael Hester, Treasurer

Sent Certified Mail

January 20, 2009

California Uniform Construction Cost Accounting Commission
Office of the State Controller
Division of Accounting and Reporting
Local Government Policies Section
P.O. Box 942850
Sacramento, CA 94250

RE: City of Lindsay – Library Project

Dear Chair Cortright,

This letter shall serve as a formal complaint against the City of Lindsay. We believe that they have violated California Public Contract Code, Section 22042 (b), and exceeded the force account limit. It appears the City has self-performed a number of items on a new Library Construction Project. We request that the Commission review the work as required. The work in question is described as:

Lindsay Library Project
Description of the work: Construction of a 6,733 square-foot building, site work and necessary infrastructure
The work was performed in approximately June–December 2008
Agency estimate if available: None available, value exceeds $1,000,000
Name of Agency: City of Lindsay
Address of Agency: P.O. Box 369, Lindsay, CA 93247
Phone Number of Agency: (559) 562-5927
Contact if Applicable: Ken Walker, Deputy Director of Finance
Julia M. Lew, City Attorney
Ed Murray, Mayor

Attached, please find correspondence that we have had with the City. The City has failed to provide us with any cost accounting data. After numerous attempts to get information about this matter, we have been unable to resolve the issue with the City. We have mailed a copy of our complaint to the City of Lindsay. We have attached a copy of that letter for your records.

The Construction Industry Force Account Council (CIFAC) is a non-profit organization that represents contractors, contractor associations and the various building trades. As such, we meet the definition of an "interested party" per Public Contract Code Section 22042 (b).

Cathryn Hilliard, Executive Director
837 Arnold Drive, Suite 200, Martinez, CA 94553 • *phone* 800-755-3354 • *fax* 925-957-1800 • *email* cifac@sbcglobal.net • *web* www.cifac.org

Please feel free to contact me at (800) 755-3354 if you should have any questions. Michelle Tucker, Central Region Field Representative, is also available to answer any questions at (209) 770-1283. We request that you notify us in writing of the findings of the Commission.

Sincerely,

Cathryn Hilliard

Cathryn Hilliard
Executive Director

Enclosures: Copies of Letters to the City of Lindsay
Copy of a Letter from Lindsay City Attorney
Newspaper article from the Fresno Bee

CIFAC construction industry force account council

D. A. McCosker, President | Cedric Porter, Vice President | Steve Harris, Secretary | Michael Hester, Treasurer

January 20, 2009

Ken Walker, Deputy Director of Finance
City of Lindsay
P.O. Box 369
Lindsay, CA 93247

Re: City of Lindsay – Library Project

Dear Mr. Walker,

The Construction Industry Force Account Council (CIFAC) is a non-profit organization that monitors public entities for compliance with the California Public Contract Code. We represent contractors, contractor associations and various building trades.

This letter is to serve as our notice to the City of Lindsay that we have filed a formal complaint against the City with the California Uniform Construction Cost Accounting Commission. The complaint is in reference to: **City of Lindsay - Library Project**. We believe that you are in violation of California Public Contract Code: Section 22042 (b). The value of the project exceeds your force account limit. We have attempted to obtain information from the City. The City has failed to provide us with any documentation or legal authority to show exemption. Thus, we were forced to seek the Commission's rulings on this matter.

Please contact me at (800) 755-3354 if you have any questions regarding this matter.

Sincerely,

Cathryn Hilliard

Cathryn Hilliard
Executive Director

cc: CUCCAC

Cathryn Hilliard, Executive Director
837 Arnold Drive, Suite 200, Martinez, CA 94553 • *phone* 800-755-3354 • *fax* 925-957-1800 • *email* cifac@sbcglobal.net • *web* www.cifac.org

WALTER McCORMICK (1926 - 2005)
S.L. KABOT
NANCY A. JENNER
JULIA M. LEW

RICHARD H. BAMGL

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WWW.MKJW.COM

December 23, 2008

Michelle Tucker
CIFAC Central Region Representative
19815 Rough and Ready Trail
Sonora, California 95370

Re: Public Records Request to City of Lindsay

Dear Ms. Tucker:

I am the City Attorney for the City of Lindsay, and the City has referred this matter to my office.

The City of Lindsay is a Charter City and bid all work on the Lindsay Libray Project (that it did not perform itself) as required and in accordance with its Charter provisions.

With regard to your request for specific records (numbered 1 through 3 in your letter), to the extent the records exist they will be provided. Also, to the extent the City has a record(s) showing the total value of the project and the funding sources, they will be provided. The City is currently gathering the records and will contact you with the actual number of copies and the cost when they are available, but no later than January 6, 2009. The City charges $.25 per copy, and it is estimated that the number of copies responsive to your request will not exceed 25.

Thank you.

Very truly yours,

Julia M. Lew
City Attorney, Lindsay

cc: Kenny Walker, City Clerk
Mike Camarena, City Services Director

E:/julia/mkj/Lindsay/general/cifacltrdec2008.doc

Received Dec 26, 2008

CIFAC construction industry force account council

D. A. McCosker, President Cedric Porter, Vice President Steve Harris, Secretary Michael Hester, Treasurer

December 22, 2008

Ken Walker, Deputy Director of Finance
City of Lindsay
P.O. Box 369
Lindsay, CA 93247

FILE COPY

Sent via registered mail 12/22/08

Re: Lindsay Library Construction and Bidding Procedures

Dear Mr. Walker,

This is the **second request** for information that I have sent in regards to the Lindsay Library Construction Project. The first letter I sent was on December 2, 2008 and I confirmed with you on December 15, 2008 via telephone that you received the letter and forwarded it to the City Attorney for a response. I have not received any correspondence from the Attorney pertaining to my letter. Per the California Public Records Act; Government Code 6250 et.seq. an Entity must respond within 10 days of receipt of an inquiry.

I would like to know the total value of the project and all funding sources. An article in the Fresno Bee newspaper mentioned that part of the work was self performed and part was contracted out. I would like to know specifically which portions of the work were bid and what portions were performed by City crews.

Please provide copies of the following documents or the legal authority under which you claim exemption:

1) Copies of any and all bid advertisements relative to the library project(s)
2) A copy of the bid results
3) A listing of the work self performed including the value of materials, equipment and labor

Thank you for your cooperation. I look forward to your response.

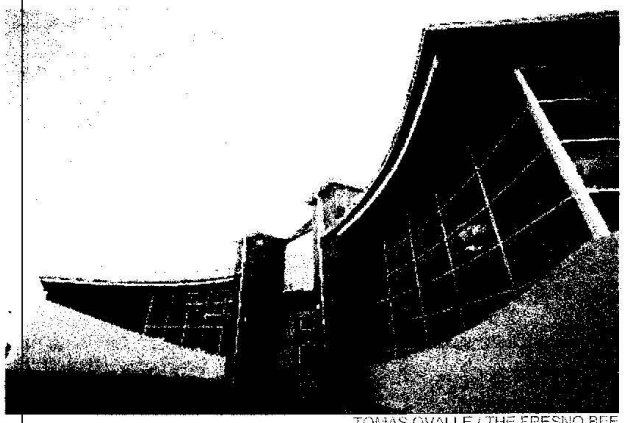
Sincerely,

Michelle Tucker, CIFAC Central Region Representative
19815 Rough and Ready Trail
Sonora, CA 95370

Cathryn Hilliard, Executive Director
837 Arnold Drive, Suite 200, Martinez, CA 94553 • *phone* 800-755-3354 • *fax* 925-957-1800 • *email* cifac@sbcglobal.net • *web* www.cifac.org

Cathryn Hilliard

From: John Sloan [jsloan@americanpavingco.com]
Sent: Friday, November 21, 2008 8:47 AM
To: Cathryn Hilliard; Bryan Berthiaume; DARBI4FFC@aol.com
Subject: Lindsay
Attachments: image001.jpg; image002.gif; image003.gif; image004.gif; image005.gif; image006.gif; image007.gif; image008.jpg; image009.gif



TOMAS OVALLE / THE FRESNO BEE

The new Lindsay library was built for $1.15 million in part because the city's construction crew performed much of the work.

More photos

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New Lindsay library ready to be checked out

Hiring local residents helped city save money on $1.15 million project.

By Eddie Jimenez / The Fresno Bee

11/19/08 22:25:03

Quick Job Search

careerbuilder.com

The city of Lindsay is cutting costs on municipal construction projects -- such as the new library that opens Friday -- by using city workers instead of hiring contractors.

The $1.15 million library is one of three projects in which the city is saving money by hiring local residents with masonry, painting, sheetrocking and other skills for a city building crew, said Kindon Meik, Lindsay's assistant city manager.

"It's allowed us to do a lot more as a smaller city than we'd otherwise be able to do," he said.

About three years ago, officials formed a city construction crew in anticipation of projects, including the McDermont Field House and Sports Center, a 172,000-square-foot indoor complex, and a wellness center.

city hires contractors to erect steel structures for its new buildings but uses city workers to finish most of the aining work, Meik said.

ity officials estimated it would have cost more than $2 million to hire contractors to build the new library -- double the cost of using city workers.

The city has two staff members who have general contractor's licenses. The city's construction crew has about 15 workers, some of whom are full-time temporary employees, Meik said.

Using the construction crew was "a way to make it happen with our limited resources," said Pamela Kimball, Lindsay's mayor pro tem.

The new 6,733-square-foot building will replace the 2,830-square-foot library that was built in 1934. Both are in downtown Lindsay.

About $750,000 for the library's construction came from Tulare County's capital-projects fund. The rest came from city redevelopment funds and a USDA loan.

The city will own the library; Tulare County will lease it and pay for staff and materials.

The partnership is "an example of how government agencies can work together to provide better services for our residents," said Allen Ishida, a Tulare County supervisor who represents the Lindsay area.

The new library will have seven public computers with Internet access; the current library has three, and sometimes there are long waits, said Dan Short, librarian assistant.

In addition to having space to store more books, magazines, CDs, DVDs and other materials, the library will provide a meeting room, separate areas for children, young adults and adults and more storytime space for children, Short said.

Lindsay residents are excited about the new library's opening, Kimball said.

The McDermont Field House, a former fruit packinghouse that officially opened in April, is a "hybrid" project with a combination of work done by the city crew and contractors, Meik said. New attractions will open in December and after the first of the year.

Construction of a planned wellness center for the community, which will include a swimming pool, a fitness center and classrooms, is scheduled to begin early next year. The city's construction employees also will work on that project, Meik said.

"Our hope is to keep using them as long as there is sufficient work," he said.

The reporter can be reached at ejimenez@fresnobee.com or (559) 622-2420.

Enlarge this image

CIFAC construction industry force account council

D. A. McCosker, President Cedric Porter, Vice President Steve Harris, Secretary Michael Hester, Treasurer

December 2, 2008

Ken Walker, Deputy Director of Finance
City of Lindsay
P.O. Box 369
Lindsay, CA 93247

FILE COPY

Re: Lindsay Library Construction and Bidding Procedures

Dear Mr. Walker,

I am a Field Representative for the Construction Industry Force Account Council. The Construction Industry Force Account Council (CIFAC) is a non-profit organization that monitors Public Entities for compliance with the California Public Contract Code to promote competitive bidding on new public works construction projects. We represent contractors, contractor organizations and various building trades.

I have attempted to contact you several times but have been unsuccessful. I came across an article in the Fresno Bee newspaper about the construction of the new Lindsay library and would like to know some additional information.

As an entity signatory to the California Uniform Construction Cost Accounting Act (CUCCAA), all public works projects that have a total value that exceeds $30,000 must be formally or informally bid according to CUCCAA procedures, pursuant to section 22032 of the California Public Contract Code.

I would like to know the total value of the project and all funding sources. The newspaper article mentioned that part of the work was self performed and part was contracted out. I would like to know specifically which portions of the work were bid and what portions were performed by City crews.

Please provide copies of the following documents or the legal authority under which you claim exemption:

1) Copies of any and all bid advertisements relative to the library project(s)
2) A copy of the bid results
3) A listing of the work self performed including the value of materials, equipment and labor

Cathrya Hilliard, Executive Director
837 Arnold Drive, Suite 200, Martinez, CA 94553 • *phone* 800-755-3354 • *fax* 925-957-1800 • *email* cifac@sbcglobal.net • *web* www.cifac.org

I would like to try to resolve this matter at a local level rather than filing a complaint with the California Uniform Construction Cost Accounting Commission.
Thank you for your prompt reply to this letter. We are requesting these documents per the California Public Records Act; Government Code 6250 et.seq. and thus will expect a reply by December 12, 2008. Please contact me if you have any questions, at (209) 532-2942.

Sincerely,

Michelle Tucker, CIFAC Central Region Representative
19815 Rough and Ready Trail
Sonora, CA 95370

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McCormick Kabot Jenner & Lew
1220 West Main Street
Visalia, CA 93291
(559) 734-6729
(559) 734-8762 FAX

FACSIMILE TRANSMISSION COVER SHEET

DATE: February 13, 2009

TO: CA Uniform Construction Cost Accounting Commission
Attn: Jeanette Consentino

FAX NUMBER: (916) 327-3162

NUMBER OF PAGES: 20
(Including this page)

COMMENTS: **Re: Construction Industry Force Account Council**
City of Lindsay Library Project

FROM: Julia Lew

☐ HARD COPY TO FOLLOW

☐ **NO** HARD COPY TO FOLLOW

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WALTER McCORMICK (1926 - 2005)
S.L. KABOT
NANCY A. JENNER
JULIA M. LEW

RICHARD H. BAMBL
MICHAEL MAURER

LAW OFFICES OF
McCORMICK KABOT JENNER & LEW
A PROFESSIONAL CORPORATION
220 WEST MAIN STREET
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TELEPHONE
(559) 734-6729

FACSIMILE
(559) 734-8762

INTERNET
WWW.MKJW.COM

February 13, 2009

[VIA FAX: (916) 327-3162 and U.S. MAIL]

California Uniform Construction Cost Accounting Commission
Attention: Jeanette Consentino, Fiscal Analyst, State Controller's Office
Office of State Controller
P.O. Box 942850
Sacramento, California 94250

Re: Construction Industry Force Account Council (CIFAC) complaint re: City of Lindsay Library Project

For Commission Meeting on February 18, 2009

Dear Commissioners:

I am the City Attorney for the City of Lindsay, and the City has requested that I respond concerning the City's opinion that its Charter, and not the Uniform Cost Accounting Act, governs its public contracting procedures.

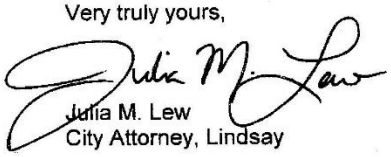
Until 1996, the City of Lindsay was a "general law" city. On April 17, 1995, the City elected to become subject to cost accounting procedures set forth in the Act via its Resolution No. 95-20 (a copy of which is attached hereto). However, on January 8, 1996, the City Council approved the final draft of the Proposed Charter of the City of Lindsay. The Charter was approved by the voters of the City of Lindsay at a Special Election on April 9, 1996. The Charter is essentially the City's "constitution."

The Charter provisions clearly supersede any public contracting procedures utilized prior to its adoption, including the election of the uniform cost accounting procedures opted into by the City in 1995. Section 8.11 explicitly provides that the City shall establish its purchasing and contracting system by ordinance, that said regulations shall establish an informal bidding limit of $74,999 and a formal bidding limit for projects involving expenditures of $75,000 or more, that said limits shall be adjusted annually by consumer price indices, and that the regulations shall set forth a procedure for determining which projects can be performed by City forces versus via contract (see Section 8.11.J). In September 1996, the City Council adopted detailed purchasing and contracting procedures (Ordinance No. 482). With regard to public works by City forces, Section 3.04.200 provides that the City Manager may determine which public works projects may be performed by City forces, or what portions of any public works project which is to be bid are to be performed by City forces.

The adoption of the Charter in 1996 (and subsequent adoption of Ordinance No. 482) effected an opting out by the City of the voluntary State cost accounting program, because the City could not legally follow the State procedures without violating its own Charter. Therefore, there has been no attempt by the City to follow a program that it no longer views itself a part of.

In addition to Resolution 95-20, I have attached Section 8.11 of the City's Charter and Ordinance No. 482 for your reference. Please don't hesitate to contact me if you have any comments or questions. Thank you.

Very truly yours,



Julia M. Lew
City Attorney, Lindsay

cc: Scot Townsend, City Manager
Kenny Walker, City Clerk
Mike Camarena, City Services Director

E:/julia/mkjl/Lindsay/general/cuccacltr021309.doc

RESOLUTION NO. 95-20
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LINDSAY ADOPTING UNIFORM PUBLIC CONSTRUCTION COST ACCOUNTING PROCEDURES.

At a regularly scheduled meeting of the City Council of the City of Lindsay, held on the 17th day of April, 1995, at the hour of 7:00 p.m. of said day, in the Council Chambers at City Hall, 251 East Honolulu, Lindsay, California 93247, upon motion of Councilperson HILL, second of Councilperson STAVA, the following resolution was adopted:

THAT WHEREAS, prior to the passage of Assembly Bill No. 1666, Chapter 1054 Stats. 1983, which added Chapter 2 commencing with Section 22000 to Part 3 of Division 2 of the Public Contract Code, existing law did not provide a uniform cost accounting standard for construction work performed or contracted by local public agencies; and

WHEREAS, Public Contract Code Section 22000 et seq., the Uniform Public Construction Cost Accounting Act, establishes such a Uniform Cost Accounting Standard; and

WHEREAS, the Commission established under the Act has developed uniform public construction cost accounting procedures for implementation by local public agencies in the performance of or in the contracting for construction of public projects;

NOW, THEREFORE, BE IT RESOLVED that the City Council the City of Lindsay hereby elects, under Public Contract Code Section 22030, to become subject to the uniform public construction cost accounting procedures set forth in the Act and to the Commission's policies and procedures manual and cost accounting review procedures, as they may each from time-to-time be amended, and directs that the City Clerk notify the State Controller of this election.

PASSED AND ADOPTED by the City Council of the City of Lindsay this 17th day of April, 1995, by the following vote :

AYES:	HENDRICKS, RIOS, HILL, STAVA, SAUCEDO.
NOES:	NONE.
ABSENT:	NONE.
ABSTAIN:	NONE.

ATTEST:

Bobbi Paul

Bobbi Paul, City Clerk

CITY COUNCIL OF THE CITY OF LINDSAY

Valeriano Saucedo

Valeriano Saucedo, Mayor

CITY CLERK CERTIFICATION

I, Bobbi Paul, City Clerk of the City of Lindsay do hereby certify that the foregoing is a full, true and correct copy of the original resolution made and entered into by the City Council of the City of Lindsay at a regular meeting duly called and held on April 17, 1995, as the same appears of record and on file in my office. WITNESS my hand and official City Seal of Lindsay.

Bobbi Paul

Bobbi Paul, City Clerk

Date: April 18, 1995

CHARTER OF THE CITY OF LINDSAY

January 8, 1996

Sections:

ARTICLE I
NAME, BOUNDARIES AND FORM OF GOVERNMENT

1.01 Name.
1.02 Boundaries.
1.03 Form of Government.

ARTICLE II
POWERS, DUTIES AND OBLIGATIONS OF THE CITY

2.01 Powers of the City.
2.02 General Law Powers.
2.03 Municipal Affairs.
2.04 Intergovernmental Powers.
2.05 Liberal Interpretation.
2.06 Duties and Obligations of the City Council.

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MAYOR AND CITY COUNCIL

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3.02 Judge of Qualifications.
3.03 Vacancies and Forfeiture of Office.
3.04 Filling of Council Vacancies.
3.05 Compensation and Expenses.
3.06 Powers and Duties of the City Council.
3.07 Council Procedure.
3.08 Actions Requiring an Ordinance.
3.09 Ordinances in General.
3.10 Emergency Ordinances.
3.11 Ordinance Authentication, Recording and Codes.
3.12 Mayor.
3.13 Mayor Pro Tem.
3.14 Prohibitions on City Council.
3.15 Independent Audit.

ARTICLE IV
CITY MANAGER

4.01 City Manager Appointment.
4.02 Acting City Manager.
4.03 Powers and Duties of City Manager.

ARTICLE V
CITY CLERK

5.01 Office of City Clerk.
5.02 Duties of City Clerk.

ARTICLE VI
CITY ATTORNEY

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6.02 Duties of City Attorney.
6.03 Special Counsel.

ARTICLE VII
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7.02 Department Heads.
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8.03 Annual Budget.
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8.08 Lapse of Appropriations.
8.09 Capital Program and Budget.
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8.11 Purchasing and Contracting.
8.12 Miscellaneous Fiscal Procedures.

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10.02 Special Elections.
10.03 Initiative, Referendum and Recall.

ARTICLE XI
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11.01 Conflicts of Interest.
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12.01 Charter Amendment.
12.02 How Amended.
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13.03 Transition of Current Elected Officials.
13.04 Continuity of Laws, Officers and Employees.

CHARTER OF THE CITY OF LINDSAY, CALIFORNIA
January 8, 1996

Vision Statement:

The citizens of the City of Lindsay do enact this Charter to form a better City government for all citizens of the City, to provide for the public health, safety, welfare and morals of its residents, property owners and businesses, and to preserve and to enhance the quality of life for ourselves, our families, our neighbors, and our businesses, for now and the future.

ARTICLE I

NAME, BOUNDARIES AND FORM OF GOVERNMENT

Section 1.01 Name.

The municipal corporation now existing and known as the City of Lindsay shall remain and continue to exist as a municipal corporation under the name "City of Lindsay", but as a California Constitution Home Rule Charter City.

Section 1.02 Boundaries.

The boundaries of the City of Lindsay shall be as now established, and may be changed in the future as provided by law, by this Charter, or by ordinance.

Section 1.03 Form of Government.

The organizational form of government under which the City of Lindsay shall operate shall be that which is commonly known as "The Council-Manager Plan".

ARTICLE II

POWERS, DUTIES AND OBLIGATIONS OF THE CITY

Section 2.01 Powers of the City.

The City shall have all powers possible for a city to have under the Constitution and laws of the United

B. Payment Restrictions. No payment shall be made or obligation incurred against any appropriation except in accordance with appropriations duly made by the Council and unless the City Manager or his/her designee first certifies that there is a sufficient unencumbered balance in such appropriation and that sufficient monies therefrom are or will be available to cover the claim or meet the obligation when it becomes due and payable.

C. Illegal Payment. Any authorization of payment or incurring of obligation in violation of the provisions of this Charter shall be void and any payment so made illegal.

D. Securities Exception. Nothing in this Charter shall be construed to prevent the making or authorizing of payments or making of contracts for capital improvements to be financed wholly or in part by the issuance of municipal securities, or to prevent the making of any contract or lease providing for payments beyond the end of the fiscal year provided such contract or lease is not explicitly prohibited by the provisions of the California Constitution.

E. Constitutional Limitation. The status of the City budget and finances shall in all respects at all times be in compliance with California Constitution Article XVI, Section 18.

Section 8.08 Lapse of Appropriations.

A. When Lapse. Every appropriation, except as provided for herein, shall lapse at the end of the fiscal year to the extent that it has not been expended or encumbered.

B. Capital Outlay Appropriations. All appropriations for capital outlay items shall continue in force until expended, revised or repealed. The purpose of any such capital outlay appropriation shall be deemed abandoned after three years pass without disbursement from or encumbrance against the appropriation.

C. Other Exemptions. Appropriations involving trust and agency accounts and reserves shall not lapse until specifically provided either by the annual budget or separate resolution.

Section 8.09 Capital Program and Budget.

A. Five Year Program. The City Manager annually shall prepare and submit to the City Council a five year Capital Program, which Program shall be submitted as a separate part of but be considered by the Council concurrent with the Annual Budget.

B. Program Contents. The Capital Program shall include but not be limited to the following:

1. A general summary of its contents;
2. A list of all capital improvements and other capital expenditures which are proposed to be undertaken during the five fiscal years next ensuing, with appropriate supporting information as to the necessity for each improvement or proposed expenditure;
3. Cost estimates and recommended time schedules for each improvement or other capital expenditure;
4. Method of financing for each improvement or other capital expenditure; and,
5. The estimated annual cost of operating and maintaining the facilities or equipment to be constructed or acquired.

C. Capital Program Adoption. The Capital Program shall be a part of and adopted as part of the Annual Budget.

Section 8.10 Public Documents.

Copies of the annual budget and message, the annual audit, the annual financial report if it be a separate document, and all appropriate summarizing documents shall be filed with the City Clerk as permanent public records, and shall be made available to the public for inspection and review.

Section 8.11 Purchasing and Contracting.

A. By Ordinance. The Council by ordinance shall provide for a purchasing and contracting system assuring a maximum of competition for the lowest price consistent with a stated level of quality.

B. The Basic System. The Purchasing and Contracting Ordinance shall provide for and comply with all provisions of this Section and of this Charter, but not be limited to:

1. Control of the system by the City Manager, who shall be empowered to make purchases and to

award contracts for amounts of $25,000 or less, annually adjusted in amount as set out herein;

2. Delegation of responsibility by the City Manager to any appointed subordinate;

3. A requirement that should contracts or purchases in amount of $25,000 or less be awarded to any one vendor or contractor cumulatively totalling $75,000 in any three year period then, in that event, the competitive process set out herein shall be followed prior to the award of subsequent contracts to such vendor or contractor, should such process otherwise be required;

4. An informal bid solicitation process for purchases and contracts in amount between $25,001 and $74,999, which amounts shall be adjusted annually in amount as set out herein;

5. The acquisition of the services of professional service providers in such a manner that specialized abilities and knowledge shall be considered in addition to quality and price and, if appropriate as determined by the City Manager, without the competitive processes set out herein;

6. Additional procedures and requirements to fulfill the provisions of this Section and this Charter; and,

7. Such other matters as shall be determined to be required by the City Council.

C. Award of Contracts and Purchases. Award of contracts and purchases shall be made to the lowest responsible bidder or vendor meeting specifications, except as provided herein and in the Purchasing and Contracting Ordinance.

D. Sealed Competitive Bids. Sealed bids for competitive purchases involving the expenditure of $75,000 or more shall be secured, but this amount and all dollar amounts set out in this Section shall be revised by the Council annually as part of the annual budget by a revision factor determined by utilizing published reliable indicators or indices of price changes.

E. Waiver of Bids. Waiver of competitive bidding for purchase of non-competitive items and contracting for services is permitted in emergencies, for copyrighted and patented items and services, and for professional or specialized services for which a written finding is filed with the City Clerk regarding the reason for such non-competitive, emergency or sole source acquisition.

F. Prohibitions. Splitting contracts or purchases to avoid dollar limits is prohibited.

G. Rejections. The City Council may reject any and all bids for any good or service.

H. Bid Bonds. A bid bond or cashiers check shall be required for all sealed bids.

I. Public Notification. The City Manager shall cause full public notification of all calls for sealed bids by providing ten days notice through publications appropriate to the subject of the call for bids.

J. Public Works Determination. The Purchasing and Contracting Ordinance shall set out a procedure for determination of which public works or improvement projects are to be performed by City forces and which are to be let to contract.

K. Bidding and Wages. The City Council may by ordinance or resolution adopt prevailing wage, geographic boundaries and other guidelines and restrictions, including local bidding preference, governing public works and other City contracts.

Section 8.12 Miscellaneous Fiscal Procedures.

A. By Ordinance. The City Council by ordinance shall provide for the following, and other appropriate and necessary fiscal and financial procedures, which procedures shall comply with State law unless the ordinance specifies otherwise:

B. Petty Cash. The creation, administration and control of petty cash accounts;

C. Claims and Demands. The receipt and disposition of claims and demands against the City;

D. Warrants and Checks. Issuance and redemption of warrants, if any, and checks drawn on the City treasury, and;

E. Actions. Legal actions against the City.

(12)

Atty's Julia

ORDINANCE NO. 482

AN ORDINANCE OF THE CITY OF LINDSAY, REPEALING TITLE 3, CHAPTER 3.04.010 TO 3.04.170, INCLUSIVE, OF THE LINDSAY MUNICIPAL CODE, AND ENACTING AND ADDING A NEW TITLE 3, CHAPTER 3.04 CONSISTING OF SECTIONS 3.04.010 TO SECTIONS 3.04.260, INCLUSIVE, TO THE LINDSAY MUNICIPAL CODE AS THE SAME RELATES TO PURCHASING AND CONTRACTING.

WHEREAS, April 17, 1996 the City of Lindsay officially became a Charter City; and

WHEREAS, certain provisions of the Charter of the City of Lindsay either conflict with or are not fully covered in the ordinances of the City of Lindsay as the same pertains to the City Purchasing and Contracting System; and

WHEREAS, it is necessary and desirable to make the Lindsay Municipal Code conform with the Lindsay City Charter; and

WHEREAS, it is the purpose of this ordinance to establish, clarify and modify the purchasing and contracting system created by the City Charter, Lindsay Municipal Code, or this ordinance; and

WHEREAS, the City Council wishes to deviate from State General Law so as to secure cost savings and to effect procedural economies;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LINDSAY DOES ORDAIN as follows:

ARTICLE I. This ordinance may be referred to as "The Purchasing and Contracting Ordinance".

ARTICLE II. Title 3, Chapter 3.04, consisting of Sections 3.04.010 through 3.04.170 of the Lindsay Municipal Code is hereby repealed.

ARTICLE III. A new Title 3, Chapter 3.04, consisting of Sections 3.04.010 through 3.04.260 are hereby added to the Lindsay Municipal Code, and shall provide as follows:

TITLE III
CHAPTER 3.04

Sections	
3.04.010	Authority.
3.04.020	Limitation.
3.04.030	Purchasing Officer Duties.
3.04.040	Purchasing Procedures Generally.
3.04.050	Specifications.
3.04.060	Annual Adjustment of Limits.
3.04.070	Informal Purchases Procedure.
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3.04.090	Formal bid Procedure.
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3.04.110	Federal Grant Requirements.
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3.04.230 Electronic Purchase Procedure.
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3.04.250 Changes in Procedures.
3.04.260 Definitions.

Section 3.04.010. Authority
The provisions of this chapter are adopted pursuant to Section 8.11 of the Lindsay City Charter.

A. The City Manager shall have control of the City purchasing and contracting system, and may delegate such authority by written Executive Order as is permitted by this Code, resolutions, and rules and regulations promulgated in conformance therewith.

B. The Finance Director is hereby designated as the Purchasing Officer and shall have such duties as set out herein.

Section 3.04.020. Limitation
Contracts and purchases made in accordance with Section 3.04.070 cumulatively totaling $75,000, or more, in any three year period awarded to any one vendor or contractor are prohibited, such being evidence of "bid splitting", which practice is prohibited.

A. In such event vendor or contractor shall be required to comply with the competitive bidding process set out in this Code prior to being awarded a further contact or purchase order within the three year period.

B. Splitting contracts or purchases to avoid dollar limits set out in this Chapter is prohibited.

Section 3.04.030. Purchasing Officer Duties
The Duties and responsibilities of the Purchasing Officer shall be to :

A. Purchase or contact for all supplies,equipment and contractual personal services, excluding professional services, needed by all City departments or agencies which derive financial support wholly or in part from the City, in accordance with purchasing procedures as prescribed by this Chapter, relevant administrative regulations and such rules and regulations as the Purchasing Officer shall adopt and the City Manager approve;

B. Negotiate and recommend execution of contracts for the purchase of supplies and equipment and for the contacting for services from the lowest responsible bidder;

C. Act to procure for the City acceptable quality of supplies, equipment and services at the least expense to the City;

D. Discourage uniform bidding by purveyors and induce full competition on all purchases and for all purchases and contracts;

E. Adopt administrative regulations, subject to prior approval of the City Manager, including revisions and amendments thereto, governing the purchase of goods and the contracting for services or supplies and equipment for the City;

F. Keep informed of current developments in the field of purchasing and contracting, price, costs, market conditions, new products and new contractual situations prevailing in the industries which might be supplying goods or services to the City;

G. Prescribe, design and issue forms needed for the operation of the procedures and requirements set out in this Chapter, and such other applicable rules as may seem necessary to fulfill the requirements of this Chapter;

H. Regulate the transfer of surplus property between departments as needed, or sell or otherwise dispose of surplus property when designated as such by other department heads or City Manager;

I. Maintain a bidders list, vendors and contractors catalog file , and such other records as might be used in modern procurement;

J. Assure that every bidder complies with all applicable City, State and Federal health, employee, safety and occupational laws and regulations;

K. Such other matters as shall be required to fulfill the requirements and procedures of this Chapter, the City Charter and requirements of the City Council and the City Manager.

Section 3.04.040. Purchasing Procedures Generally

Generally, the purchasing procedures of the City shall consist of the following:

A. Determination of requirements by the Purchasing Officer, in consultation with the requesting department heads;

B. The negotiation of or processing of appropriate procurement actions;

C. Referral of bids to using departments or agencies for analysis and recommendation;

D. Award of purchase order or contract to the lowest responsible bidder;

E. Supervision of receipt and acceptance procedures;

F. Approval of invoices for payment.

Section 3.04.050. Specifications.

As needed, the Purchasing Officer, in conjunction with using departments or agencies, shall develop standard specifications for repetitively procured items and services.

A. Every specification shall be prepared to assure the broadest possible bidder participation, consistent with the needs of the using agency.

B. Alternative specification provisions for any particular bid invitation may be established with concurrence of the Purchasing Officer and the using department or agency.

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Section 3.04.060. Annual Adjustment of Limits

Annually, as part of the City Budget, City Staff shall provide data and the City Council shall adopt new dollar limits affecting Sections of this Chapter in which dollar limits are set out.

A. Such dollar limits for purchases of goods and supplies shall be adjusted by the same percentage as the Municipal Price Index (MPS), as determined by City & County Magazine, shall have changed during the prior calendar year, either upward or downward.

B. Such dollar limits for construction and equipment purchases and contracts shall be adjusted by the same percentage as the McGraw Hill Index of Construction Prices shall have changed during the prior calendar year, either upward or downward.

Section 3.04.070. Informal Purchases Procedure

The City Manager may delegate in writing to the department heads, Purchasing Officer or other City Officer as he shall determine, the authority to make purchased and to contract for items and services involving less than $25,000. Such delegated authority shall be exercised as set out in this Section, and shall be subject to other applicable provisions of this chapter.

A. Purchases under this Section shall be based whenever possible on competitive quotations and award to the the lowest responsible bidder;

B. Either verbal or written quotations shall be received from prospective vendors or contractors, and notations made thereof in every case involving any purchase or contract of amount greater than $5,000.

C. Verbal or written quotations shall be solicited and received from prospective vendors or contractors and made a part of the file for each specific proposed acquisition of goods or services involving expenditures of $5,001 up to and including $25,000.

D. A written and signed statement of the City Officer or employee who made such solicitation shall be included as a part of each purchase order issued under the provisions of this Section, which statement shall swear under penalty of perjury that the procedures set out in this Section were compiled with and that the award was made to the lowest responsible bidder;

E. Award of all contracts and purchases made pursuant to the procedures of this Section shall be made to the lowest responsible bidder or vendor meeting specifications, except as specifically otherwise authorized by this Chapter.

Section 3.04.080. Informal Bid Procedure

All purchases and contracts involving amounts between $25,001 and $74,999 shall be purchased and contracted for only under the procedures set out in this Section.

A. Award of all contracts and purchases made pursuant to the procedures of this Section shall be made to the lowest responsible bidder or vendor meeting specifications, except as specifically otherwise authorized in this Chapter.

B. Written quotations shall be secured in all cases from at least three prospective and qualified vendors or contractors, and such quotations shall be made a part of the file of each purchase made or contract awarded under this Section. Such file shall be maintained for three years after award of the contract or purchase order.

Section 3.04.090. Formal Bid Procedure

The procedure set out in this Section shall be utilized for all purchases or contracts involving amounts of $75,000 or more.

A. Award of all contracts and purchases made pursuant to the procedures of this Section shall be made to the lowest responsible bidder meeting specifications, except as specifically otherwise authorized by this Chapter.

B. Written specifications and plans, if appropriate, shall be prepared for all purchases proposed to be made and contracts proposed to be awarded under this Section. Such specifications and plans, together with the deadline for and place to file sealed bids with the City, and other requirements, shall be circulated to publications appropriate to the subject of the call for bids, posted at City Hall, and advertised in a legally adjudicated newspaper in geographic areas appropriate to reaching prospective bidders.

C. Such notices and advertisements shall be designed to cause full public notification of all calls for sealed bids by providing at least ten days written notice to prospective bidders prior to the proposed deadline for the receipt of sealed bids.

D. Sealed bids shall be accompanied by a bid bond or cashiers check in amount set forth by the City Manager, and failure to include such bid bond or cashiers check with any bid shall be disqualifying.

E. Sealed bids shall be received and opened by the City Official designated by the bid call, at the place an time specified in said bid call.

F. A written analysis shall be made of all sealed bids received under the procedures of this Section, and shall contain information relative to all bidders, including a recommendation by the affected department head and the City Manager as to which bidder is recommended to be the lowest responsible bidder.

G. The City Council shall award, or may reject, all purchases or contracts developed under the procedures of this Section and proposed to be awarded pursuant to this Section.

H. All bid calls shall contain a statement that the City Council may reject any and all bids for any goods or service, and may cancel any call for bids at any time in the process.

I. At the option of the City Manager an alternate purchasing and contracting procedure may be followed for any specific purchase or construction contract bid process, which procedure would follow California Government Code Sections 54205, or appropriate Public Contract Code provisions, but without compliance with the dollar limits of said Government Code or Public Contract Code Sections. The use of such alternate procedure shall be solely discretionary by the City Council or City Manager, and generally will not be followed, merely being an optional procedure which might be utilized, if desired.

Section 3.04.100. Professional and Specialized Services

The acquisition of copyrighted and/or patented items and services for which there is no reasonable alternative which is of equal to or of better quality or nature shall be made by following the procedures set out in this Section.

A. The purchase order or contract award for such professional or specialized services or materials shall have a copy of a statement attached thereto by both the vendor or contractor and the City Manager stating the reasons and the specific copyright or patent circumstances which have given rise to the invoking of this exception to the competitive acquisition process set out in this Chapter.

The original of such statement shall be filed with the City Clerk.

B. Professional or specialized services which involve a qualitative judgment in addition to qualitative and dollar amount shall be involved when the procedure set out in this Section is utilized.

C. When this exception to the competitive purchasing and contracting procedures set out in this Chapter is utilized, a written finding shall be filed with the contract and the City Clerk regarding the reason for such non-competitive acquisition and, further, the process utilized in the selection of contractors to be interviewed, the interview process used, those firms contacted and interviewed, and the results of such interviews, cumulatively which shall have resulted in the decision to award the contract to which the contract was subsequently awarded.

D. The criteria utilized for exception to the competitive process of this Chapter in paragraphs B and C of this Section:

1. Shall be a requirement for specialized abilities and knowledge in addition to quality and price,

2. Shall not be utilized without the prior written approval of the City Manager.

E. Professional Services means work performed by specially trained and experienced persons, firms or corporations rendering professional services and advice such as accounting, auditing, financial advisory, securities underwriting, legal, medical, engineering, architectural, environmental, economic, real estate, insurance, appraisals, lobbying,public relations, ordinance codification and publication, or similar such highly specialized services.

Section 3.04.110. Federal Grant Requirements
All supplies, equipment, construction and services for federally-assisted grant or loan programs shall be procured in accordance with "Attachment O" of "OMB Circular No.A-102", contained in the "Standards Governing State and Local Grantee Procurement".

Section 3.04.120. Receipt of Goods and Services
The using department or agency shall inspect all goods and equipment, and

A. Certify to the Finance Director that all goods and services received conform in quality and quantity with the specifications accompanying the purchase order for such goods and services.

B. Before payment is authorized, satisfactory receipt of goods and services must be certified as prescribed in the administrative regulations governing processing of purchase orders and contracts.

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Section 3.04.130. Cooperative Purchasing
Without complying with other Sections of this Chapter, the Purchasing Officer may participate in, sponsor, conduct or administer a cooperative purchasing agreement for the procurement or any supplies, equipment, service or construction with one or more public procurement units, in accordance with an agreement entered into between the participants.

A. Such cooperative purchasing may include, but not limited to joint or multiparty contracts between public procurement units, and
B. Open-ended State public procurement contracts which are made available to the City.

Section 3.04.140. Emergency Purchases
The provisions of this Chapter may be waived when the following circumstances exist:

A. During emergencies which have been declared by a unanimous vote of the City Council, or by order of the Governor or President, which emergency shall encompass the City and/or its services.

B. An emergency determined by the City Manager and the Purchasing Officer if:

1. There is a great public calamity; or

2. There is immediate need to prepare for national or local defense; -or-

3. There is a breakdown in machinery, equipment or essential service which requires immediate purchase of supplies and equipment to protect public health, welfare or safety; -or-

4. An essential departmental operation affecting the public health, welfare or safety would be greatly hampered if the prescribed purchase would cause an undue delay in procurement of the needed item or service.

C. A statement of the nature of the declared emergency shall be attached to each purchase order issued pursuant to the provisions of this Section.

D. The Purchasing Officer is authorized to make emergency purchases for all supplies, equipment and services which cost $10,000 or less, the City Manager is authorized to make such purchases which cost $25,000 or less, but the city council shall authorize any such purchases in amount exceeding $25,000.

Section 3.04.150. Local Preference
To promote the economic health of the City and to encourage local participation in the City procurement process, the City, in determining the lowest responsible bidder, may take into consideration the sales tax which would be returned to the City, as well as reduced delivery costs, service and any other savings features that are known of as a result of the award to a bidder who has an established place of business within the Lindsay City Limits.

Section 3.04.160. Central Stores
Selected commodities with recurring high usage rates may be stocked and issued from Central Stores under the direction and control of the Purchasing Officer.

A. The Purchasing Officer shall examine usage rates for various commodities and, in coordinating with using department, expend or reduce the quantities and types of items in such Central Stores.

B. Central Stores items shall be replenished as needed from the Purchasing Revolving Account through regular purchasing procedures.

C. Inventory levels of commodities on hand in Central Stores shall be determined by the Purchasing Officer, based on economic and demand factors.

D. Detailed instructions for ordering and accounting methods for such Central Stores shall be set forth in administrative regulations governing such operation.

Section 3.04.170. Purchase Orders

Purchase of supplies and equipment and the award of public works contacts shall be made in accordance with prescribed administrative regulations governing the preparation and issuance of purchase orders. Except as otherwise prescribed in this Chapter, the administrative regulations the preparation and issuance of purchase orders. Except as otherwise prescribed in this Chapter , the administrative regulations governing purchasing and contracting shall establish responsibilities for the signing and processing of purchase orders, and no exceptions may be made unless specifically provided for in said regulations.

Section 3.04.180. Estimates of Requirements

All using departments or agencies shall file detailed estimates of their requirements for supplies and equipment in such a manner, at such a time, and for such future periods as the Purchasing Officer may request.

Section 3.04.190. Inventory and Status Reports

Each using department or agency shall submit at lest annually to the Purchasing Officer, or more often if required, in the form and manner he shall prescribe, reports describing all supplies, equipment, materials, fixtures and other personal property of the City in the custody of the department or agency which personal has become obsolete or unserviceable.

A. Subject to the provisions of subsection E of this Section, the Purchasing Officer is authorized from to sell or to exchange any and all such supplies or unserviceable equipment, materials, fixtures and other personal property of the City, including trade-in value if such property is to be replaced.

B. The purchasing Officer may sell for the best price obtainable on the open market or, when he deems it advisable, to the highest bidder at public sale, or he may exchange such surplus property for credit on other property.

C. In the event the Purchasing Officer determines that any such obsolete or surplus property has no salvage value he may dispose of it as he deems advisable.

D. All sales of such surplus or obsolete personal property shall be for cash or certified check or money order payable to the City.

E. The Purchasing Officer shall have authority to sign bills of sale and any other papers or documents for and on behalf of the City evidencing transfer of title of the property.

F. Prior to disposing of any obsolete or surplus personal property having an apparent market value in excess of $25,000 the Purchasing Officer shall inform the City Council of the nature of the personal property proposed for disposition and the price offered and shall obtain the Council's approval for such disposition.

Section 3.04.200. Public Works by City Forces

The City Manager may determine which public works projects may be performed by City forces, or what portions of any public works project which is to be bid to be performed by City forces and thus excluded form such bid process.

A. Such determination shall be made by the City Manager after consultation with the appropriate City department head, and shall take into consideration the skills and abilities, wage and benefit rates, and time availability of the specific City employees who would be involved in such specific public works project.

B. Reasons for the decision made by the City Manager shall be filed with the bid documents should such project be performed in part by City forces, and in the construction files for the project should such public works project be performed in whole by City forces.

Section 3.04.210. Bid Wage Determination

Each public works project proposed to be put to sealed bid pursuant to the procedures set out in Section 3.04.090 of this Chapter shall have as apart of such bid call a statement by the City Manager as to the requirement for the payment of wage rates by bidders, any geographic coverage of such proposed wage rates, and any other appropriate guidelines and restrictions on the payment of wages by prospective contractors to their employees.

A. Unless otherwise specified, all City Public Works, purchasing and acquisition contracts shall make no provision for payment of so-called prevailing wages, City bid documents to stipulate that whatever wages as may be necessary for the bidder to submit a reasonable bid may be utilized by the bidder.

B. In such bids as the City shall, by grant contract, be obligated to require as a precedent to the retention of such grant contact, that California State Department of Labor-determined "prevailing wage" rates shall be utilized, or Federal Davis-Bacon Act wage rates shall be utilized, then, in that event, subsection A of this Section shall be suspended and not applicable.

C. Insofar as is possible, bidders which agree to employ persons to work on specific project bids are being submitted, and such employed persons live within the City Limits of the City of Lindsay, then those bidders shall be provided preference in the award of bids by the City.

D. Bidders who have their headquarters within the City Limits of the City of Lindsay, who pay a business license tax to the City, and who agree to employ persons resident within the City of Lindsay, shall be provided added preference in the award of public works contracts by the City, insofar as is possible.

SECTION 3.04.220. Contract Bulk Purchases

Purchase contracts to supply the City's needs may be entered into for up to three years for specified types and groupings of goods or services, provided that the procedures of this Chapter are complied with.

Section 3.04.230. Electronic Purchase Procedure
Purchases may be made via electronic data transfer of data, provide the intent and substance of the requirements of this Chapter are met.

Section 3.04.240. Security for Public Works Projects. All contracts for the construction of a public works project in an estimated amount of $75,000 or greater shall require the contacting party to furnish security for the completion of the project and the payment of labor, materials and equipment .

A. The provisions of Chapter 5 of Division 2 of Title 7 of the California government Code (Sections 66499 through 66499.10) as the same now reads or is hereafter amended shall govern the kind of security (G.C. Section 66499); the form of bond (G.C. Section 66499.1 and 66499.2); the amount of the security (G.C. Section 664.99.3); the costs, expenses, and fees included in the amount of the security (G.C. Section 66499.4); the provisions for reduction of improvement security (G.C. Section 66499.5); exemption of security from enforcement of money judgment (G.C. Section 66499.6); release of security (G.C. Section 66499.7); restriction on release of security (G.C. Section 66499.8); limitation on security on security liability (G.C. Section 66499.9); and party against whom suit on security maintained (G.C. Section 66499.10).

B. Said Government Code provisions are incorporated are incorporated in this Section of this Chapter by reference, as if fully set forth herein.

Section 3.04.250. Changes in Procedures
Changes in the general method or policy of purchasing and contracting by the City and the operation of Central Stores, shall be made only by amending this Chapter.

Changes affecting only the details or forms used in the administration of these provisions concerning Purchasing Officer or City Manger as administrative revision to the pertinent procedural regulations.

Section 3.04.260. Definitions
Lowest Responsible Bidder means the lowest bidder whose offer best responds in quality, fitness and capacity to the requirements of the proposed work or usage, as specified.

In determining the lowest responsible bidder the following shall be considered, in addition to price:

A. The quality of supplies offered;

B. The ability, capacity and skill of the bidder to perform the contract or to provide the supplies or services required;

C. Whether the bidder can perform the contract or provide the supplies or services promptly, or within the time specified, without delay or interference;

D. The sufficiency of the bidder's financial resources and the effect thereof on his ability to perform the contract or to provide the supplies or service;

E. The character, integrity, reputation, judgment, experience, and efficiency of the bidder;

F. The quality of the bidder;s performance on previous orders or contracts for the City;

G. Litigation by the bidder on previous orders or contacts with the City;

H. Previous and existing compliance by the bidder with local laws and ordinances relating to the subject of the purchase or contact;

I. The ability of the bidder to provide future maintenance and service where such maintenance and service is essential.

ARTICLE V: All City Ordinances, resolutions or other actions are in force when this Ordinance becomes effective are repealed to the extent that they are inconsistent with this Ordinance.

ARTICLE VI: If any provision of this Ordinance is held to be invalid the other provisions of this Ordinance shall not be affected thereby. If the application of this Ordinance or any of its provisions to any person or circumstance is held invalid, the application of this Ordinance and its provisions or circumstances shall not be affected thereby.

ARTICLE VIII: This Ordinance shall become effective thirty (30) days from and after its final passage and adoption, after publication of a summary thereof, or in full text in the official City newspaper.

THIS ORDINANCE WAS INTRODUCED and the title thereof read at the regular meeting of the City Council of the City of Lindsay on the 3rd day of September, 1996; and

PASSED, APPROVED, AND ADOPTED at a regular meeting of the City Council of the City of Lindsay called and held the 16th day of September, 1996.

For the
CITY COUNCIL OF THE CITY OF LINDSAY

Valeriano Saucedo, Mayor

ATTEST:

Bobbi Paul, City Clerk

CITY OF LINDSAY)
COUNTY OF TULARE) CITY CLERK CERTIFICATION
STATE OF CALIFORNIA)

I, Bobbi Paul, City Clerk of the City of Lindsay, do hereby certify that the foregoing is a full, true and correct copy of the original Ordinance No. 482, introduced by title only at a regular meeting of the City Council of the City of Lindsay on the 3rd day of September, 1996; and adopted by the City Council of the City of Lindsay at a regular meeting duly held on the 16th day of September, 1996, on motion of STAVA, second of HENDRICKS, by the following vote, as the same appears of record and on file in my office:

AYES:	HENDRICKS, HILL, RIOS, STAVA, SAUCEDO.
NOES:	None.
ABSENT:	None.
ABSTAIN:	None.

WITNESS my hand and Corporate City Seal of the City of Lindsay this 17th day of September, 1996.

OFFICE OF THE CITY CLERK OF LINDSAY

Bobbi Paul, City Clerk

City of Ukiah

January 20, 2009

Cathryn Hilliard
Executive Director
CIFAC
837 Arnold Drive
Suite 200
Martinez, CA 94553

Dear Ms. Hilliard:

The City of Ukiah has received your letter noticing that a formal complaint has been filed against the City with the California Uniform Construction Cost Accounting Commission. The complaint is with regards to the City of Ukiah Municipal Golf Course Seasonal Tributary Project.

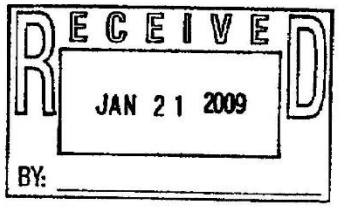
The City will be prepared to respond to the Commission's inquiry about this project as necessary, and I am sending this letter of acknowledgement of receipt of the complaint.

The City continues to work to resolve issues related to performance of force account projects in the best interests of our residents and in compliance with our obligations under the public contract code.

Sincerely,

Jane A. Chambers
City Manager

cc: City Council
City Attorney
Tim Erikson, Public Works Director
Sage Sangiacomo, Community Services Director



300 SEMINARY AVENUE, UKIAH, CA 95482-5400
Phone# 707/463-6200 Fax# 707/463-6204 Web Address: www.cityofukiah.com

CIFAC construction industry force account council

D. A. McCosker, President | Cedric Porter, Vice President | Steve Harris, Secretary | Michael Hester, Treasurer

Sent Certified Mail

January 15, 2009

California Uniform Construction Cost Accounting Commission
c/o Office of the State Controller
Division of Accounting and Reporting
Local Government Policies Section
3301 C Street, Suite 500
Sacramento, CA 95816

Dear Chair Cortright,

This letter shall serve as a formal complaint against the City of Ukiah. We believe that they have violated California Public Contract Code, Section 22042 (b). We believe that the City has omitted information on rental rates, pickups and transportation of equipment. We request that the Commission review the work as required. The work in question is described as:

Ukiah Municipal Golf Course
Description of Work: Seasonal Tributary Project
- Install rock slope protection
- Install culverts
- Bank and Creek Restoration
- Minor Paving

The work was performed in October 2008
Agency estimate if available: $29,551.67
Name of Agency: City of Ukiah Public Works and City Parks
Address of Agency: 300 Seminary Ave., Ukiah, CA 95482
Phone Number of Agency: (707) 463-6200
Contact if Applicable: Jane Chambers, City Manager
Tim, Eriksen, City Engineer

Attached, please find the supporting documentation. We have mailed a copy of our complaint to the City of Ukiah. We have attached a copy of that letter for your records.

The Construction Industry Force Account Council (CIFAC) is a non-profit organization that represents contractors, contractor associations and the various building trades. As such we meet the definition of an "interested party" per Public contract Code Section 22042 (b).

If you have any questions in regards to this complaint, please feel free to contact Cathryn Hilliard, Executive Director (800) 755-3354, or Sally Riley, Sr. Field Representative (530) 227-5217.

Cathryn Hilliard, Executive Director
837 Arnold Drive, Suite 200, Martinez, CA 94553 • *phone* 800-755-3354 • *fax* 925-957-1800 • *email* cifac@sbcglobal.net • *web* www.cifac.org

We request that you notify us in writing of the findings of the Commission.

Sincerely,

Cathryn Hilliard
Executive Director

Enclosures: Copy of Letter to City of Ukiah
Agencies Written Estimate
Copies of Material Invoices
Copies of Permit Fee Invoices
Copies of Time City Employee Time Cards
City Form listing Equipment –This is an incomplete list

Cathryn Hilliard

From: Sally Riley
Sent: Thursday, January 15, 2009 2:07 PM
To: Cathryn Hilliard
Cc: 'sallyr@frontiernet.net'
Subject: Ukiah Costing Accounting Questions

Cathryn, per our discussion, I have listed below some of the problems I have found with the documents we were sent from the City of Ukiah in regarding to the Golf Course Project.

Their estimate sheet which totaled $29,551.67 did not list:

Dept of Forestry and Fire Protection Invoice:	$3475.10
Fish and Game Permit	500.00
Dept of Water Resources Permit	500.00
Equipment not charged	908.00

Under Street Wages and Benefits they list at total of $486.45----divided by 23 hours, shows a total rate of $21.15/hour. That has been the base pay from all other accounting (see Alice St) and does not appear to have benefits. They have used a benefit amount of 6.42/hour, but I note that the parks benefits show at $8.39/hour.

On one of the record of daily job costs, they have listed 10 separate pieces of equipment, showing a total of $903.88, (again tack pot and no oil), on another "estimating sheet" they show four pieces of equipment for $1443.24. They used the higher number in their total cost sheet, but they are different pieces of equipment. If one uses both lists, then equipment should total $2347.12. It is my opinion that even using both lists, there are still items missing. I note that "old service truck" and "new service truck" have the same rental rate. The tack pot trailer is missing, as is the transport for any equipment.

We were unable to get a full description of make, model and year to check on any of the equipment rates. Also, there doesn't seem to be anyone charged with foreman pay. City crews work 4 ten hour days. The code is clear that we should be provided with where they were after 7 or eight hours. I also see that there was some overtime shown on time cards, but doesn't appear to be any accounting showing the same.

Without all of the data provided, but from my very rough calculations, I believe that the Controller's Office should find that this project total is close to $40,000.

Please call me if you have any questions.

Thank you-Sally

City Of Ukiah
Accounting of SEP Plan - Golf Course Seasonal Tributary

Hydro Seeding		1,100.00
Base	158.61	
Saw Cut	60.35	
Cement/Sand	1,050.43	
		1,269.39
Plants		457.14
Erosion blankets, wattles		418.84
Pipe		3,653.43
Rip Rap		5,921.94
Asphalt		669.28
Total Materials		$ 13,490.02
Parks:		
Wages	281 hours	6,170.10
Benefits		2,358.57
Equipment		1,443.24
Streets:		
Wages & Benefits	23 hours	486.45
Equipment		677.91
Total Materials & Labor		$ 24,626.39
Overhead @ 20%		$ 29,551.67

ESTIMATE		Estimator:	
Project #: 8013		Description:	Install 2x36" culverts and 1-12" X 15' culvert. Remove some dirt and rock from creek area. Repair asphalt above culvert peers.
Date Started:	10/20/2008	Location:	Back 9 of Golf Course

Date Completed:	
Total Job Cost:	$1,443.24
Total Job Cost: + 20%	$1,731.89

Employee	Emp.No.	Dates of Work S 19	M 20	T 21	W 22	T 23	F 24	S 25	Dates of Work S 26	M 27	T 28	W 29	T 30	F 31	S 1	Total Hrs	Labor
Shane Young			7	7	7	7	2.5			7	7					44.5	
Joe Fowler					2.5	2	2			8	6	6	6			32.5	
Jarrod Meyer												3	4	2		9	
Cole Gowen			10	11												21	
Mike Higgins			4								8	5.5				17.5	
Rob Gibson			6	9	3.5	8	7			7						40.5	
Raul Ramos										6.5						6.5	
Kevin Crook												2.5				2.5	
Tom Hamblet, Jr.				2		2										4	
Jim Thompsen				7												7	
Don O'Hara											3					3	
Tom Hamblet, Sr.																	
																188	
															Total Labor		

City-Owned Equipment	Equip #	S 19	M 20	T 21	W 22	T 23	F 24	S 25	S 26	M 27	T 28	W 29	T 30	F 31	S 1		Total Hrs	Cost
Backhoe	1321		2	2	2	2	1			5	4	3	1			$25.41	22.00	$559.02
6 Yard 1	2341		2	2												$35.44	4.00	$141.76
Skidsteer Loader	1400		6.5	7	6	6	5.5			3	4	2	1			$16.38	41.00	$671.58
3 Yard Dump Truck	2235		2													$35.44	2.00	$70.88

No pickups
no transport of equipment
not enough information to
determine rental rates

Total Hours		$1,443.24
Supplies		
Description	Unit	Amount
Total Materials		

p.03
707-462-6944
12/23/08 09:27AM

Record of Daily Job Costs

Location: GOLF COURSE Date: 10-30-08

Description: PAVE SECTIONS KART PATH

Employee & Number	Hours	Rate	Cost
HORACIO MELLO	3	27 93	83 79
MARIO DOGALI	3	27 93	83 79
GREGG BLANCETT	4	27 93	111 72
DARIN MALUGANI	3	30 00	90 00
JUSTIN AVERY	3	27 93	83 79
FORREST NARVAEZ	3	27 93	83 79
NICH DALE	4	27 93	111 72

Total Labor: 648 60 B. 75 % USED

Equipment & Number	Hours	Rate	Cost
NEW 10 WHEELER	3	47 32	141 96
NEW SERVICE TRUCK	3	15 54	46 62
OLD SERVICE TRUCK	4	13 54	54 16
TAC - POT	4	1 50	6 00
SIX YARD DUMP	3	35 44	106 32
ROLLER	3	21 19	63 57
ROLLER TRAILER	3	1 10	3 30
SIX YARD DUMP	3	35 44	106 32
PAVER	3	126 16	378 48
PAVER TRAILER	3	1 10	3 30

Total Equipment: 908 88 B. 75 % USED

Material	Quantity	Cost
18 TON 1/2 A/C HOT MIX	94 50	

Total Materials: 1701 00

Total Daily Job Direct Costs: 3253 48

S:\Public Works\Forms\record of daily job cost.xls

987-1946

PURCHASE ORDER

Purchase order numbers must appear on all invoices and packages

CITY OF UKIAH
SUBMIT DUPLICATE INVOICES
TO: ACCOUNTS PAYABLE
300 SEMINARY AVENUE
UKIAH, CA 95482
ACCTS. PAYABLE: (707)463-6230
PURCH. DEPT.: (707)463-6233
PURCH. FAX: (707) 463-6234

PURCHASE ORDER NUMBER 038650

PAGE 1 OF 1

DATE 10/16/2008

VENDOR: 011863

BARUTH/DAVID M
DBA POSITIVE HYDROSEEDING
18027 N SHORE DR
HIDDEN VALLEY LAKE CA 95467

SHIP TO: 000005

CITY OF UKIAH
GOLF/PARKS DEPT
599 PARK BLVD
UKIAH CA 95482

DELIVER BY	FOB
	UKIAH

TERMS	TAX	CONFIRM TO	PHONE
NET 30		SKIP	(707)987-1946 0000

LINE NO.	QUANTITY U/M	DESCRIPTION	UNIT PRICE		EXTENSION
01	1.00 LOT	HYDROSEEDING AT THE CITY OF UKIAH'S 612.3580.630.000 MUNICIPAL GOLF COURSE, 599 PARK BLVD, UKIAH, CA, HOLE 15.	1,100.00	N	1,100.00
02	0.00 HRS	ADDITIONAL CONSULTING AS REQUESTED 612.3580.630.000 AT AN HOURLY RATE OF $75 PER HOUR.	75.00	N	.00

*PER FAX TRANSMITTAL DETAILS 9/26/08

REQUISITION DATE	REQUESTED BY		
E29657	MILLS,G	SUBTOTAL	1,100.00
	DELIVER TO	TAX	0.00
	COMM SVGC	TOTAL	1,100.00

RECEIVED AS SPECIFIED:

APPROVED FOR PAYMENT

11/17/08
DATE

- RECORD (Blue)
- RECEIVING (Pink)
- DEPARTMENT (Gold)
- PURCHASING (Green)
- FINANCE (Yellow)

12/23/08 09:27AM 707-462-6944

City of Ukiah

BI-WEEKLY TIME CARD

DEPARTMENT: Golf

EMPLOYEE: Young Shane (Last / First)

PERIOD: 10.19.08 to 11.1.08

LAST 4 DIGITS OF SS#:

	S	M	T	W	TH	F	S	S	M	T	W	TH	F	S	TOTAL Reg Time	TOTAL Over Time	TOTAL Stand By	TOTAL CT Earned	Work Out of Classification Dates	Work Out of Classification Assignment
Date:	10/19	10/20	10/21	10/22	10/23	10/24	10/25	10/26	10/27	10/28	10/29	10/30	10/31	11/1						
Start & End Times	1:30 / 2:00	6:30 / 5:00	6:30 / 5:00	6:30 / 5:00	6:30 / 5:00	4:00 / 3:00	—	—	6:30 / 4:30	6:30 / 4:00	6:30 / 3:00	6:30 / 3:00	4:00 / 12:30	—						
Regular		8	4	4	4	7.5	7.5		7.5	7.5	8	8	8		52	30	~~regular~~			
Overtime		1	3	3	3	7.5			1.5	3		1				1	23 OT			
Sick																				
Family Sick																				8013 water golf
Vacation																				43.5 regular
Holiday																				1 OT
Standby																			6.5	pumpkin fest
Jury Duty																				30hr. regular
Bereavement																				23 OT parks
Personal Leave																—				
Comp. Time EARNED																				
Comp. Time TAKEN																				
Other																				

960-5601-15000 — Job Costs & Special Accounts

	S	M	T	W	TH	F	S	S	M	T	W	TH	F	S	Reg Time	Over Time	Stand By	CT Earned
Pumpkin fest	6.5						0.5		5.5						6.5	~~6.5~~	~~regular~~	
8013 PROJ.		7 6	4 7	4 7	4 7	7.5	—	—	7	4 7				total 44.5	8 8	6.5	1 OT	
8013 overtime		1	3	3	3	2			1.5	3					43.5			
DAILY TOTAL	6.5	9	11	11	11	10	—	—	9.5	11	8	8	8	—	80	24		

regular OT

Finance Department Use Only
104.0
43.5 regular

Comments: 10/19 Pumpkin Fest
#8013 drainage 15 T. 56.5 hrs.
10/30 cleaned up ditch on #4 T

Employee Signature: Shane 01

City of Ukiah

BI-WEEKLY TIME CARD

DEPARTMENT: Golf

EMPLOYEE: Thomsen James (Last / First)

PERIOD: 10-19-08 to 11-1-08

LAST 4 DIGITS OF SS#:

	S	M	T	W	TH	F	S	S	M	T	W	TH	F	S	TOTAL Reg Time	TOTAL Over Time	TOTAL Stand By	TOTAL CT Earned	Work Out of Classification Dates	Work Out of Classification Assignment
Date:	19	20	21	22	23	24	25	26	27	28	29	30	31	1						
Start & End Times	6:30		—		3:00															
Regular		8	11	8	8	8									38	(C)				
Overtime			3													3				
Sick																				
Family Sick															(VL)					
Vacation									8		8	8	8		32					
Holiday																				
Standby																				
Jury Duty																				
Bereavement																				
Personal Leave																				
Comp. Time EARNED																				
Comp. Time TAKEN															(TR)					
Other Training										8					8					
960 Sleep 115.00																				
Job Costs & Special Accounts																(OT)				
pumpkin fest	7	8													(R4)	7				
15 Tee creek 8013			7												7	7				
Pesticide Ceminare			3							8					8					
PROJ #8013																				
DAILY TOTAL	7	8	11	8	8	8			8	8	8	8	8		80	10				

8013 overtime

Finance Department Use Only: 90.0

Comments: 10-19-08 – pumkin fest — 10-21-08 15 creek
10-28-08 Pesticide cemenar
10-21-08 worked 7 hrs on 15 Tee creek

Employee Signature: James A Thomsen

Reviewed & Approved: Tom Hamlett

City of Ukiah

BI-WEEKLY TIME CARD

DEPARTMENT: Parks

EMPLOYEE: Ramos Raul (Last / First)

PERIOD: 10/19/08 to 11/1/08

LAST 4 DIGITS OF SS#:

	S	M	T	W	TH	F	S	S	M	T	W	TH	F	S	TOTAL				Work Out of Classification	
Date:	19	20	21	22	23	24	25	26	27	28	29	30	31	1	Reg Time	Over Time	Stand By	CT Earned	Dates	Assignment
Start & End Times			6 30 am								300pm									
Regular		8	8	8	8	8		~~1.5~~	~~3.3~~		8	8	8		~~47~~	OT				
Overtime									~~1.5~~						65.5	~~1.5~~	RW			
Sick																				
Family Sick																				
Vacation																				
Holiday																				
Standby																				
Jury Duty																				
Bereavement																				
Personal Leave																				
Comp. Time EARNED																				
Comp. Time TAKEN															TR					
~~Other~~ Training										8					8					
Job Costs & Special Accounts																			**Finance Department Use Only**	
~~[illegible]~~	[illegible]															OT			92.50	
960-5601-115-000	11								5						RW	11				
Pay 8013									~~6.5~~						6.5	~~1.5~~				
Overtime 8013									1.5											
DAILY TOTAL	11	8	8	8	8	8			9.5	8	8	8	8		80	12.5				

Change to 8013 overtime

Comments:

Employee Signature: [signature]

Reviewed & Approved: Tom [signature]

City of Ukiah

BI-WEEKLY TIME CARD

DEPARTMENT: PARKS

EMPLOYEE: O'HARA DON (Last / First)

PERIOD: 10-19-08 to 11-1-08

LAST 4 DIGITS OF SS#:

	S	M	T	W	TH	F	S	S	M	T	W	TH	F	S	TOTAL Reg Time	TOTAL Over Time	TOTAL Stand By	TOTAL CT Earned	Work Out of Classification Dates	Work Out of Classification Assignment
Date:	19	20	21	22	23	24	25	26	27	28	29	30	31	1						
Start & End Times					6:30	—	2:00													
Regular		8	8	8	8	8			8	~~8~~	8	8	8		~~80~~	(OT)				
Overtime										~~3~~	1.5				77	4.5				
Sick								8												
Family Sick																				
Vacation																				
Holiday																				
Standby																				
Jury Duty																				
Bereavement																				
Personal Leave																				
Comp. Time EARNED																				
Comp. Time TAKEN																				
Other																				
Job Costs & Special Accounts																				
#960-5601-115-000	4	2													(RH)	(OT) 6				
Pratecy #8013										3					3	~~X~~				
DAILY TOTAL	4	10	8	8	8	8			8	11	9.5	8	8		80	10.5				

Change to overtime Car 8013

Finance Department Use Only
90.50

Comments: * WENT TO PUMPKIN PATCH ON THUR, ADDED TO THIS CARD

Employee Signature: [signature]

Reviewed & Approved: Tom [signature]

City of Ukiah

BI-WEEKLY TIME CARD

DEPARTMENT: PARKS

EMPLOYEE: MEYER (Last) James (First)

PERIOD: 10/19/08 to 11/1/08

LAST 4 DIGITS OF SS#:

	S	M	T	W	TH	F	S	S	M	T	W	TH	F	S	TOTAL Reg Time	TOTAL Over Time	TOTAL Stand By	TOTAL CT Earned	Work Out of Classification Dates	Work Out of Classification Assignment
Date:	19	20	21	22	23	24	25	26	27	28	29	30	31	1						
Start & End Times	—	6:30							3:30											
Regular		8	7						8		5	4	6		38					
Overtime																				
Sick																				
Family Sick																				
Vacation																				
Holiday																				
Standby																				
Jury Duty																				
Bereavement																				
Personal Leave																				
Comp. Time EARNED																				
Comp. Time TAKEN															(TR)					
Other TRAINING										8					8					
Job Costs & Special Accounts															(RN)				**Finance Department Use Only**	
FEMA 076			1												1				84.0	
FEMA 044				8	8	8									24	(OT)				
100-561-415-000	4															4				
Proj 8013											3	4	2		9					
DAILY TOTAL	4	8	8	8	8	8			8	8	8	8	8		80	4				

Comments:

Employee Signature: James Meyer

Reviewed & Approved: Tom Hamilton

City of Ukiah

BI-WEEKLY TIME CARD

DEPARTMENT: PWCS

EMPLOYEE: Higgins, Michael (Last, First)

PERIOD: 10/19/08 to 11-1-08

LAST 4 DIGITS OF SS#:

	S	M	T	W	TH	F	S	S	M	T	W	TH	F	S	TOTAL				Work Out of Classification	
Date:	19	20	21	22	23	24	25	26	27	28	29	30	31	1	Reg Time	Over Time	Stand By	CT Earned	Dates	Assignment
Start & End Times				8																
Regular	Ø	4	8	8	Ø	Ø	Ø	Ø	8	2.5	2.5	8	8	Ø	49	49				
Overtime				3		4				2.5					46.5	4.5	(OT)			
Sick															4.5	~~4~~				
Family Sick																				
Vacation																				
Holiday																				
Standby																				
Jury Duty																				
Bereavement																				
Personal Leave																				
Comp. Time EARNED																				
Comp. Time TAKEN															(TR)					
Other Training				3	8	12	8								16	X				
Job Costs & Special Accounts																			**Finance Department Use Only**	
Prmk 940-5601-115-000	10									5.5					(RH)	10	(OT)		99.50	
Golf #8013		4								2.5	5.5				17.5					
8013 overtime										2.5										
DAILY TOTAL	10	8	8	11	8	12	Ø	Ø	8	10.5	8	9	8	Ø	76	14.5	(KH)			
															(KH) 80					

Comments:

Employee Signature: Michael Higgins

Reviewed & Approved: Tom Wahlbeck

City of Ukiah

BI-WEEKLY TIME CARD

DEPARTMENT: Parks

EMPLOYEE: Higgins, Michael (Last, First)

PERIOD: 10/5/08 to 10/18/08

LAST 4 DIGITS OF SS#:

	S	M	T	W	TH	F	S	S	M	T	W	TH	F	S	TOTAL				Work Out of Classification	
Date:															Reg Time	Over Time	Stand By	CT Earned	Dates	Assignment
Start & End Times																				
Regular			8	8	8	8			8	8	8	8	8		64					
Overtime																				
Sick																				
Family Sick																				
Vacation															(AP)					
Holiday									8						8.					
Standby																				
Jury Duty																				
Bereavement																				
Personal Leave																				
Comp. Time EARNED																				
Comp. Time TAKEN																				
Other																				
Job Costs & Special Accounts															(RH)				**Finance Department Use Only**	
~~Contr #~~ 8013		8													8	10.5			105.50	
~~900-205-219-000~~							7									7				
~~900-205-219-000~~													5.5	13		18.5				
960.5601.115,000																				
DAILY TOTAL	0	8	8	8	8	8	7	0	8	8	8	8	13.5	13	80	35.5				

Comments: Project # 8013 - Saw cut asphalt back nine
900-205-219-000 Weigh off
900-205-219-000 Pumpkin Fest

Employee Signature: Michael Higgins

Reviewed & Approved:

City of Ukiah

BI-WEEKLY TIME CARD

DEPARTMENT: Golf

EMPLOYEE: Hamblet Thomas (Last First)

PERIOD: 10-19-08 to 11-1-08

LAST 4 DIGITS OF SS#:

	S	M	T	W	TH	F	S	S	M	T	W	TH	F	S	TOTAL Reg Time	TOTAL Over Time	TOTAL Stand By	TOTAL CT Earned
Date:	10-11	10-20	10-21	10-22	10-23	10-24	10-25	10-26	10-27	10-28	10-29	10-30	10-31	11-1				
Start & End Times			6:30	—	3:00													
Regular	4	4	8 ~~8~~	8	~~8~~ 4	0	0	4	4	8	8	8	0	0	64	(RH)		
Overtime			~~8~~		~~4~~											~~4~~ 4	(OT)	
Sick																		
Family Sick																		
Vacation																		
Holiday																		
Standby																		
Jury Duty																		
Bereavement																		
Personal Leave																		
Comp. Time EARNED																		
Comp. Time TAKEN																		
Other															(RH)	(OT)		
Job Costs & Special Accounts															8	2		
Pumpkin Fest 940-5601-115.000	10														~~8~~ 10			
Job # 4013			2		2										~~8~~ 4	~~4~~		
DAILY TOTAL	14	4	10	8	10	0	0	4	4	8	8	8	0	0	~~8~~ 76	~~4~~ 2	(RH)	

Work Out of Classification	
Dates	Assignment
*4 hrs RH on 10/23 should be OT as Employee has worked 44 hrs in this work week	
Entered on 11/21/08	
Pay Date 11/01/08	
RH= (4.0)	
OT= 4.0	

Finance Department Use Only

78.0

Comments: Job #013 - Ravine project on 15

Employee Signature: Thomas Hamblet

Reviewed & Approved:

City of Ukiah

BI-WEEKLY TIME CARD

DEPARTMENT: PARKS/GOLF

EMPLOYEE: HAMBLET THOMAS (Last First)

PERIOD: 10/19/08 to 11/1/08

LAST 4 DIGITS OF SS#:

	S	M	T	W	TH	F	S	S	M	T	W	TH	F	S	TOTAL				Work Out of Classification	
Date:		6:30	- 3:00												Reg Time	Over Time	Stand By	CT Earned	Dates	Assignment
Start & End Times	19	20	21	22	23	24	25	26	27	28	29	30	1	2						
Regular		2	2	2	2	2			2	3.5	2	5	8		32.5					
Overtime																				
Sick																				
Family Sick																				
Vacation																				
Holiday																				
Standby																				
Jury Duty																				
Bereavement																				
Personal Leave																				
Comp. Time EARNED																				
Comp. Time TAKEN																				
Other																				
Job Costs & Special Accounts															(RW)				Finance Department Use Only	
PWT # 8013		6	6	6	6	6			6	4.5	6	3			49.5					
DAILY TOTAL		8	8	8	8	8			8	8	8	8	8		80					

Comments: 10/20 REMOVE OLD CULVERT AND INSTALL 2 NEW 1.5 HRS BACKHOE 3.5 HRS LOADER. 10/21 EXCAVATE DIRT FROM CREEK/CULVERT AREA. 1 HR BACKHOE 4 HRS. LOADER. 10/22 SET AND BACKFILL 2 36" CULVERTS. 10/23 INSTALL RIPRAP IN CREEK. 10/24 INSTALL RIPRAP. 10/27 INSTALL RIPRAP 10/28 INSTALL RIPRAP AND CLEAN SITE. 10/29 BASE AND GRADE CULVERT AREA. 10/30 LAY ASPHALT CART PATHS AND 12" CULVERT.

Employee Signature: Tom Hamblet

Reviewed & Approved:

City of Ukiah

BI-WEEKLY TIME CARD

DEPARTMENT: Parks

EMPLOYEE: Cole, Gaven (Last, First)

PERIOD: 10-19-08 to 11-1-08

LAST 4 DIGITS OF SS#:

	S	M	T	W	TH	F	S	S	M	T	W	TH	F	S	TOTAL Reg Time	TOTAL Over Time	TOTAL Stand By	TOTAL CT Earned	Work Out of Classification Dates	Work Out of Classification Assignment
Date:	10-19	10-20	10-21	10-22	10-23	10-24	10-25	10-26	10-27	10-28	10-29	10-30	10-31	11-1						
Start & End Times						6:30		10	3:30											
Regular				8	8	3	0	0				8	3	0	35					
Overtime					4	3							4.5		23.5	11.5	(OT)			
Sick																				
Family Sick																				
Vacation																				
Holiday																				
Standby																				
Jury Duty																				
Bereavement																				
Personal Leave																				
Comp. Time EARNED																				
Comp. Time TAKEN																				
Other																				
Job Costs & Special Accounts																				
960-601-115-000	11	10	11										(PH)		11	11				
9013		10	11			7			9.5	11	8		(56)		7.4	22				
9013 overtime		2	3			2														
DAILY TOTAL	11	10	11	8	8	10	0	0	9.5	11	8	8	8	0	80	(22.5)				

Finance Department Use Only: 102.50

Comments:

Employee Signature: Gaven Cole

Reviewed & Approved: Tom Woodbeck

City of Ukiah

BI-WEEKLY TIME CARD

DEPARTMENT: PARKS

EMPLOYEE: FOWLER JOE (Last, First)

PERIOD: 10/19/08 to 11/1/08

LAST 4 DIGITS OF SS#:

	S	M	T	W	TH	F	S	S	M	T	W	TH	F	S	TOTAL Reg Time	TOTAL Over Time	TOTAL Stand By	TOTAL CT Earned	Work Out of Classification Dates	Work Out of Classification Assignment
Date:	19	20	21	22	23	24	25	26	27	28	29	30	31	1						
Start & End Times					6:30	TO	3:00													
Regular		8	7						1.5	2	2	2	8		29	+1.5				
Overtime		*2							1.5							*2				
Sick																3.5	OT	total		
Family Sick																				
Vacation																				
Holiday																				
Standby																				
Jury Duty																				
Bereavement																				
Personal Leave																				
Comp. Time EARNED																				
Comp. Time TAKEN																				
Other																				
Pumpkin Fest.	Job Costs & Special Accounts															OT				
#960-5601-115-000	5														RH KM	5				
Fiesta Proj #076			1												RH	1	OT			
Fiesta Proj #044				8	8	8									17.5	24	6.5			
Proj # 8013				2.5	2	2			8	6	6	6				24				
Golf Course																30.5				
DAILY TOTAL	5	10	8	10.5	10	10			9.5	8	8	8	8			80	15			

KM KM

Finance Department Use Only
95.0

Comments: Overtime 10/19/08 Pumpkin Fest.
+ Overtime 10/14/08 Pumpkin Patrol. Taken OT 10/20/08 Time Allotted Turned In
Fiesta Proj #076 Reported Fence Around Stadium
Frank Proj # 044 Taken Time Send Sweeper Comp Time 12.2 [illegible]

Employee Signature: [signature]

Reviewed & Approved: [signature] FOWLER

City of Ukiah

BI-WEEKLY TIME CARD

DEPARTMENT: Parks / Golf

EMPLOYEE: Crook (Last) Kevin (First)

PERIOD: 10-19-08 to 11-01-08

LAST 4 DIGITS OF SS#:

	S	M	T	W	TH	F	S	S	M	T	W	TH	F	S	TOTAL				Work Out of Classification	
Date:	19	20	21	22	23	24	25	26	27	28	29	30	31	1	Reg Time	Over Time	Stand By	CT Earned	Dates	Assignment
Start & End Times																				
Regular	0	0	0	8	0	8	8	0	0	8	5.5	8	8	8	61.5	(RH)				
Overtime															(PS)					
Sick					6										6					
Family Sick					2										(PS)					
Vacation																				
Holiday																				
Standby																				
Jury Duty																				
Bereavement																				
Personal Leave																				
Comp. Time EARNED																				
Comp. Time TAKEN																				
Other																				
Job Costs & Special Accounts															(RH)				Finance Department Use Only	
960-500-45-000 Pumpkin Fest	10														10					
															(RH)					
8013 (Project) Park 9 Golf Course												2.5			2.5					
DAILY TOTAL															80					

Comments:

Employee Signature: K Crook

Reviewed & Approved: Tom Knobbe

SECTION FOUR – Additional Information

POTENTIAL FOR IMPACTS TO THREATENED AND ENDANGERED SPECIES (Please attach all Biological Assessments, Surveys, Formal Consultation Determination letters, and Mitigation Proposals as necessary.)

SPECIES AND/OR HABITAT	BIOLOGICAL ASSESSMENT (Y/N)	SURVEY CONDUCTED (Y/N)	DATES OF SURVEY CONDUCTED
NONE	N	N	

HAS ANY PORTION OF THE WORK BEEN INITIATED? ☐ YES X☐ NO If YES, describe the initiated work, and explain why it was initiated prior to obtaining a permit. Indicate whether any enforcement action has been taken against the project.

CUMULATIVE IMPACTS (List and describe other projects implemented or planned that are related to the proposed project, or that may impact the same waterbody. Attach additional pages as necessary.)

PROJECT NAME	DESCRIPTION	DATE IMPLEMENTED/PLANNED
NONE		

Application is hereby made for a permit or permits to authorize the work described in this application. I certify, under penalty of perjury, that this application is complete and accurate to the best of my knowledge. I further certify that I possess the authority to undertake the work described herein or am acting as the duly authorized agent of the applicant.

G. I. Mills — SIGNATURE OF APPLICANT (OR AGENT)

3-18-08 — DATE

Guy I Mills — PRINT NAME OF APPLICANT (OR AGENT)

NCRWQCB Revised June 15, 2006
To download the most recent version of this form in Microsoft Word, visit http://www.waterboards.ca.gov/northcoast/programs/wqwetcert.html.
For additional information, contact Stephen Bargsten at (707) 576-2653.

COMPENSATORY MITIGATION (Required when permanent and temporal impacts to Waters of the State occur. Describe the location, size, type, functions, and values of the proposed mitigation. Describe success criteria, monitoring, long-term funding, management, and protection of the mitigation site. Attach a Mitigation Plan if needed. Attach Mitigation Bank Bills-of-Sale for purchase credits if needed. See attached checklist for guidance.)

SEASONAL TRIBUTARY WILL BE DRY WHEN WORK IS TO BE CONDUCTED. UPLAND HILLSIDE EROSION CONTROL WILL REDUCE SEDIMENT ENTERING TRIBUTARY. CITY GOLF PARK/MAINTENANCE STAFF WILL CONDUCTED ONGOING INSPECATIONS TO ENSURE THE HIGH SUCCESSFULNESS OF THE PROJECT.

ALTERNATIVES ANALYSIS

Has an Alternatives Analysis been prepared? ☐ YES ☒ NO If you marked YES, please submit the appropriate documentation.

NON-COMPENSATORY MITIGATION (Required by all construction projects and projects which impact riparian vegetation.)

PROPOSED MINIMUM EROSION CONTROL MEASURES (Describe the methods proposed for erosion control, including winterization strategies to stabilize all bare soils and re-vegetation proposals. Please submit a map indicating the approximate locations of each method.)

CITY WILL CONTRACT WITH PROFESSIONAL WITH SPECIFIC KNOWLEDGE OF EROSION AND VEGETATION PROCEDURES. EROSION CONTROL WILL BE CONDUCTED USING BRUSH MATTRESS, VEGETATIVE WALL, AND BIODEGRDAABLE EROSION CONTROL BLANKETS. AREA IS NOT IN A TRAVELED AREA BUT WILL BE ROPED OFF TO PREVENT ANY ACCESS UNTIL VEGETATION HAS ROOTED.

PROPOSED STORM WATER TREATMENT MEASURES (Describe the methods proposed to treat storm water runoff from the project site prior to entering the storm drainage system, wetlands, streams, etc. Please include proper design calculations to indicate that the proposed methods will treat runoff from the 85th percentile/24-hour storm event. See SUSMP Guidelines available at: http://ci.santa-rosa.ca.us/pworks/other/SW/SRSWManualFinalDraft.pdf, or upon request.)

SEASONAL TRIBUTARY IS LOCATED ON MUNICIPAL GOLF COURSE WHICH IS NOT ACCESSIBLE TO STORM DRAINAGE SYSTEM.

PROPOSED SOURCE CONTROLS (Describe the methods proposed to reduce sources of pollutants, fertilizers, pesticides, sediment, etc., from entering the water system.)

NO USE OF POLLUTANTS, FERTIZERS, PESTICIDES WILL BE USED ON THIS PROJECT

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SECTION THREE – Affected Waters

Please refer to the provided Project Plan Checklist for guidance and attach additional supporting documentation as necessary. Supplying detailed information will aid in expediting the review process.

DREDGE AND FILL INFORMATION (The following must be completed for each action where fill or other material will be temporarily or permanently discharged to a wetland or other waterbody, and where material will be dredged from a waterway. Attach additional pages as necessary. Provide a map showing the location of all impacts.)

TYPE OF WATERBODY (I.e. stream, wetland, ephemeral drainage)	FILL and/or DREDGE VOLUME (CY) AND TYPE	FILL and/or DREDGE SURFACE AREA [acreage, square feet and linear feet (when applicable)]	TYPE OF IMPACT (Temporary or Permanent)
SAMPLE: *Stream – storm drain outfall*	*35 cubic yards of rock rip rap*	*0.001 acres (43.56 sq ft) 25 linear feet*	*Permanent*
EMPHEMERAL DRAINAGE - INUNDATION – HEAVY RAINFALLS WEST TO EAST	*N/A*	*300' - ¼ ACRE*	*PERMANENT*

DELINEATION INFORMATION

NAME OF PERSON DELINEATING EXTENT OF WATERS OF U.S.	DATE(S) OF WETLAND DELINEATION
TITLE	DATE OF WETLAND VERIFICATION BY U.S. ARMY CORPS
AFFILIATION	If a wetland delineation has been verified by the U.S. Army Corps, please submit the verification letter as well as a verified wetland delineation map. If the Corps did not assume jurisdiction over the wetlands present, please submit the denial letter.

AVOIDANCE OF INDIRECT IMPACTS (Describe efforts to avoid and minimize indirect impacts to waters of the State such as upland impacts which might affect water quality. See checklist for guidance. Attach additional pages as necessary.)

PROJECT TO BE CONDUCTED DURING NON-RAINING SEASON (JUNE – AUGUST). CULVERT REPLACEMENT AND WIDENING CONSTRICTED PORTION OF BANK WILL BE FIRST PRIORITY TO ADDRESS INUNDATION. ADJACENT UPLAND HILLSIDE EROSION CONTROL AND BANK STABILIZATION WILL BE ADDRESSED BY PLANTING VARIOUS PLANTS AND TREES NATIVE TO THE AREA.

AVOIDANCE OF DIRECT IMPACTS (Describe efforts to avoid and minimize direct impacts to waters of the State. See checklist for guidance. Attach additional pages as necessary.)

DISTRUBANCE OF TRIBUTARY BED WILL BE MINIMUAL AS ALL WORK WILL BE CONDUCTED USING SMALL HAND TOOLS TO PLANT VEGETATION AND TREES. BANK STABILIZATION AND WIDENING CONSTRICTED PORTION WILL REDUCE SEDIMENT FROM ENTERING ORR CREEK.

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For additional information, contact Stephen Bargsten at (707) 576-2653.

DIRECTIONS TO THE SITE
HWY 101 (UKIAH) – W PERKINS ST – R – N SPRING ST – L – WALNUT AVE – L - PARK BLVD

PROJECT PURPOSE (See attached checklist for guidance. Attach additional information as necessary.)

EROSION CONTROL ON TRIBUTARY BANK FAILURE AND REDUCTION OF OVERFLOW BY WIDENING RESTRICTIVE CULVERTS

PROJECT DESCRIPTION (See attached checklist for guidance. Provide a full, technically accurate description of the entire activity and associated environmental impacts. Attach additional pages as necessary.)

REDEVELOPMENT OF A 300' PORTION OF THE SEASONAL TRIBUTARY THAT WOULD INCLUDE RESTORING CAPACITY AND BANK STABILIZATION. RESTORING CAPACITY WILL INCLUDE INCREASING THE SIZE OF TWO UNDERSIZED CULVERTS AND WIDENING A CONSTRICTED PORTION OF THE BANK. SECONDLY, A COMBINATION OF VEGETARTION AND OTHER APPROVED MATERIALS WILL BE UTILIZED TO SHORE THE BANKS AND STABILIZE AN ADJACENT UPLAND HILLSIDE FROM WHICH RUNOFF ENTERS. THE PROJECT WILL REDUCE THE DELIVERY OF FINE SEDIMENT FROM THIS TRIBUTARY INTO ORR CREEK AND WILL THUS IMPORVE WATER QUALITY AND RIPARIAN HABITAT.

BIOTECHNICAL METHODS MAY INCLUDE SUCH MEASURES AS BRUSH MATTRESS, VEGETATIVE WALL, AND BIODEGRADABLE EROSION CONTROL BLANKETS. PLANTING OF CALIFORNIA NATIVE TREES, PLANTS, AND SHRUBS OF SUFFICENT SIZE TO ENSURE HIGHER SURVIVAL RATES AND ECOLOGICAL BENEFITS SOONER.

WORK TO BE PERFORMED DURING NON RAINFALL SEASON THEREFORE, NO WATER WILL BE PRESENT.

PROPOSED START AND END DATES	ESTIMATED DURATION	Will the project take place during the wet season months of October 15 through May 15? ☐ YES x☐ NO If YES, please discuss the proposed winterization strategies on Page 5, Non-compensatory Mitigation.
JUNE 1 – AUGUST 31 2008	60 DAYS	

FEDERAL PERMIT(S) (applied for or approved, i.e. Army Corps of Engineers 404 Permit – Individual or Nationwide)

PERMIT TITLE	FILE DATE	FILE NUMBER
ARMY COPRS OF ENGINEERS 404 PERMIT	MARCH 20, 2008	APPLIED FOR
PERMIT TITLE	FILE DATE	FILE NUMBER

STATE PERMIT(S) (applied for or approved, i.e. Streambed Alteration Agreement (1600-1608) from the California Department of Fish and Game)

PERMIT TITLE	FILE DATE	FILE NUMBER
NOTIFICATION OF LAKE OR STEAMBED ALTERATION	MARCH 20, 2008	APPLIED FOR
PERMIT TITLE	FILE DATE	FILE NUMBER

CEQA COMPLIANCE (Submittal of completed, approved and/or signed CEQA documentation is required prior to approval of Water Quality Certification.)
TYPE OF DOCUMENT (EIR, Negative Declaration, etc.) LEAD AGENCY INFORMATION

EXEMPT PER LINE 10 ADMINISTRATIVE CIVIL LIABILITY ORDER NO. R1-2008-0022 (SEE ATTACHED)

STATE CLEARING HOUSE NUMBER	STATUS (pending, complete, etc.)	DATE COMPLETED (or expected to be complete)
	NOT APPLICABLE – CEQA EXEMPT	

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For additional information, contact Stephen Bargsten at (707) 576-2653.

Application for 401 Water Quality Certification and/or Waste Discharge Requirements (Dredge/Fill)

The following application must be submitted to the Regional Water Quality Control Board for dredge/fill projects that require Water Quality Certification and/or Waste Discharge Requirements. Submit this application and the appropriate documentation*, along with a check for $500.00 (Base Price) plus additional fees, if applicable, as required according to the CCR 23 Section 2200 (a)(2) Fee Schedule** to:

North Coast Regional Water Quality Control Board
5550 Skylane Blvd., Suite A
Santa Rosa, CA 95403
(Make checks payable to: State Water Resources Control Board)

*Clarification of information may be requested by Regional Water Quality staff during application review.
**Additional fees may be imposed upon application review.
Fee calculator attached and available at www.waterboards.ca.gov/northcoast/programs/wqwetcert.html.

SECTION ONE – Applicant Information & Authorization

APPLICANT/PROPERTY OWNER(S) NAME	AUTHORIZED AGENT NAME AND TITLE (an agent is not required)
CITY OF UKIAH C/O GUY MILLS	
APPLICANT/PROPERTY OWNER(S) MAILING ADDRESS	AUTHORIZED AGENT MAILING ADDRESS
300 SEMINARY AVE UKIAH, CA 95482	
APPLICANT/PROPERTY OWNER(S) PHONE & FAX NUMBERS (email optional)	AUTHORIZED AGENT PHONE & FAX NUMBERS (email optional)
707-467-5719 707-463-6740	

STATEMENT OF AUTHORIZATION (if designating a specific agent)

I hereby authorize _____ to act on my behalf as my agent in the processing of this application and to furnish, upon request, supplemental information in support of this permit application.

X_____ _____
APPLICANT'S SIGNATURE (not the authorized agent) DATE

SECTION TWO – Project Information

Please refer to the provided Project Plan Checklist for guidance and attach additional supporting documentation as necessary. Supplying detailed information will aid in expediting the review process. **Including an electronic copy of the required information will expedite the review process.**

PROJECT NAME OR TITLE
SEASONAL TRIBUTARY AT UKIAH MUNICPAL GOLF COURSE

PROJECT STREET ADDRESS (if applicable)	PROJECT LOCATION (Attach a topographic map and site map clearly indicating affected waters) COUNTY / CITY/TOWN
UKIAH MUNICIPAL GOLF COURSE 599 PARK BLVD	MENDOCINO UKIAH CA
CITY/STATE/ZIP	LATITUDE / LONGITUDE
UKIAH, CA 95482	39° 09' 00" 123° 13' 30"
ASSESSORS PARCEL NUMBER(S)	SECTION, TOWNSHIP, RANGE, USGS QUADRANGLE MAP
001-090-01-00	YOKAYO RANCHO LOT 7, USGS – UKIAH, CA

NCRWQCB Revised June 15, 2006
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For additional information, contact Stephen Bargsten at (707) 576-2653.

City of Ukiah | Disbursement Voucher

Requested By: Guy Mills Date: 3/18/08

PAY TO: STATE WATER RESOURCES CONTROL BOARD

Address: 5550 Skylane Blvd Ste A
Santa Rosa CA 95403

035409

Account # PC
Account # 612,3580,6300008013 $ 500.00
Account # $
Account # $
Account # $

TOTAL AMOUNT REQUESTED 500.00

Reason: PERMIT FEE for trench @ Golf Course for WWTP citation satisfaction

SPECIAL HANDLING INSTRUCTIONS

- ☐ Mail Directly
- ☐ Mail with Attachment
- ☒ Return check to requestor
- ☐ Other:

Approved By:

Union Bank of California
Government Services

City of Ukiah
800 Seminary Avenue
Ukiah, CA 95482-5400
707-463-6230
Void After 90 Days

NO. **83193**

DATE	CHECK NO.	AMOUNT
03/21/2008	83193	$500.00

FIVE HUNDRED AND 00/100 DOLLARS

PAY TO THE ORDER OF STATE WATER RESOURCES CONTROL BOARD

*****Not Negotiable*****
*****Not Negotiable*****
*****Not Negotiable*****
*****Not Negotiable*****

Director of Finance/
City Manager

VENDOR 035409 STATE WATER RESOURCES 03/21/2008 Check 83193

ACCOUNT	P.O.	INVOICE	DESCRIPTION	AMOUNT
612.3580.630.000		NONE	PERMIT FEE	500.00

Office Copy

TOTAL 500.00

CITY OF UKIAH · UKIAH, CALIFORNIA 95482

NOTIFICATION OF LAKE OR STREAMBED ALTERATION

14. ENVIRONMENTAL REVIEW

A. Has a draft or final document been prepared for the project pursuant to the California Environmental Quality Act (CEQA), National Environmental Protection Act (NEPA), California Endangered Species Act (CESA) and/or federal Endangered Species Act (ESA)?

☐ Yes *(Check the box for each CEQA, NEPA, CESA, and ESA document that has been prepared and enclose a copy of each)*

☑ No *(Check the box for each CEQA, NEPA, CESA, and ESA document listed below that will be or is being prepared)*

☐ Notice of Exemption	☐ Mitigated Negative Declaration	☐ NEPA document (*type*):
☐ Initial Study	☐ Environmental Impact Report	☐ CESA document (*type*):
☐ Negative Declaration	☑ Notice of Determination *(Enclose)*	☐ ESA document (*type*):
☐ THP/ NTMP	☐ Mitigation, Monitoring, Reporting Plan	

B. State Clearinghouse Number *(if applicable)*: N/A CEQA EXEMPTION

C. Has a CEQA lead agency been determined? ☐ Yes *(Complete boxes D, E, and F)* ☐ No *(Skip to box 14.G)*

D. CEQA Lead Agency: N/A

E. Contact Person: | F. Telephone Number:

G. If the project described in this notification is part of a larger project or plan, briefly describe that larger project or plan.

☐ *Continued on additional page(s)*

H. Has an environmental filing fee (Fish and Game Code section 711.4) been paid?

☐ Yes *(Enclose proof of payment)* ☑ No *(Briefly explain below the reason a filing fee has not been paid)*

EXEMPT BECAUSE OF CEQA EXEMPTION

Note: If a filing fee is required, the Department may not finalize a Lake or Streambed Alteration Agreement until the filing fee is paid.

15. SITE INSPECTION

Check one box only.

☑ In the event the Department determines that a site inspection is necessary, I hereby authorize a Department representative to enter the property where the project described in this notification will take place at any reasonable time, and hereby certify that I am authorized to grant the Department such entry.

☐ I request the Department to first contact (*insert name*) _____ at (*insert telephone number*) _____ to schedule a date and time to enter the property where the project described in this notification will take place. I understand that this may delay the Department's determination as to whether a Lake or Streambed Alteration Agreement is required and/or the Department's issuance of a draft agreement pursuant to this notification.

12. MEASURES TO PROTECT FISH, WILDIFE, AND PLANT RESOURCES

A. Describe the techniques that will be used to prevent sediment from entering watercourses during and after construction.

CULVERT REPLACEMENT AND WIDENING CONSTRICTED PORTION OF BANK WILL BE FIRST PRIORITY TO ADDRESS INUNDATION. ADJACENT UPLAND HILLSIDE EROSION CONTROL AND BANK STABILIZATION WILL BE ADDRESSED BY PLANTING VARIOUS PLANTS AND TREES NATIVE TO THE AREA OF LARGER SIZES TO ENSURE HIGHER SURVIVAL RATES AND ECOLOGICAL BENEFITS SOONER.

☐ *Continued on additional page(s)*

B. Describe project avoidance and/or minimization measures to protect fish, wildlife, and plant resources.

PROJECT TO BE CONDUCTED DURING NON-RAINING SEASON (JUNE-AUGUST 2008). TREES WILL BE PURCHASED IN 15 GALLON SIZES AND SHRUBS IN 5 GALLON, IF AVAILABLE. THEESE LARGER SIZES TEND TO HAVE HIGHER SUCCESS RATES WHERE IRRIGATION WILL NOT BE USED SINCE THE ROOTS ARE DEEPER. PLANTS WILL HAVE A ONE-GALLON WATERING BASIN FOR COLLECTING RAINWATER, 3' X 3' DEGRADABLE WEED MAT, AND 3' DEER BROWSE PROTECTORS IF NEEDED. DEER BROWSE PROTECTORS WITHIN THE 10-YEAR FLOOD PLAIN WILL BE REMOVED DURING THE RAINY SEASON. CITY MAINTENANCE CREWS WILL BE ABLE TO HAND WATER IF PLANTS ARE DISTRESSED BY EXTREME HEAT ANYTIME DURING THE SUMMER.

☐ *Continued on additional page(s)*

C. Describe any project mitigation and/or compensation measures to protect fish, wildlife, and plant resources.

PROJECT TO BE CONDUCTED DURING NON-RAINING SEASON (JUNE - AUGUST 2008)

☐ *Continued on additional page(s)*

13. PERMITS

List any local, state, and federal permits required for the project and check the corresponding box(es). Enclose a copy of each permit that has been issued.

A. NORTH COAST REGIONAL WATER QUALITY CONTROL PERMIT 401 — ☑ Applied ☐ Issued

B. ARMY CORPS OF ENGINEERS PERMIT 404 — ☑ Applied ☐ Issued

C. _____ — ☐ Applied ☐ Issued

D. Unknown whether ☐ local, ☐ state, or ☐ federal permit is needed for the project. (*Check each box that applies*)

☐ *Continued on additional page(s)*

11. PROJECT IMPACTS

A. Describe impacts to the bed, channel, and bank of the river, stream, or lake, and the associated riparian habitat. Specify the dimensions of the modifications in length (linear feet) and area (square feet or acres) and the type and volume of material (cubic yards) that will be moved, displaced, or otherwise disturbed, if applicable.

SEASONAL TRIBUTARY WILL BE ENHANCED BY THE ADDITION OF VEGETATION AND BIODEGRADABLE EROSION CONTROL BLANKETS THEREBY REDUCING SEDIMENT FROM THIS TRIBUTARY INTO ORR CREEK AND WILL THUS IMPROVE WATER QUALITY AND RIPARIAN HABITAT. APPROXIMATELY 300' IN LENGTH AND 1/4 ACRE IN AREA WILL BE REDEVELOPED TO INCLUDE RESTORING CAPACITY AND BANK STABILIZATION.

☐ *Continued on additional page(s)*

B. Will the project affect any vegetation? ☐ Yes (*Complete the tables below*) ☑ No

Vegetation Type	Temporary Impact	Permanent Impact
	Linear feet: _____ Total area: _____	Linear feet: _____ Total area: _____
	Linear feet: _____ Total area: _____	Linear feet: _____ Total area: _____

Tree Species	Number of Trees to be Removed	Trunk Diameter (range)

☐ *Continued on additional page(s)*

C. Are any special status animal or plant species, or habitat that could support such species, known to be present on or near the project site?

☐ Yes *(List each species and/or describe the habitat below)* ☑ No ☐ Unknown

☐ *Continued on additional page(s)*

D. Identify the source(s) of information that supports a "yes" or "no" answer above in Box 11.C.

SEASONAL TRIBUTARY WHICH IS DRY DURING NON-RAINFALL PERIODS

☐ *Continued on additional page(s)*

E. Has a biological study been completed for the project site?

☐ Yes (*Enclose the biological study*) ☑ No

Note: A biological assessment or study may be required to evaluate potential project impacts on biological resources.

F. Has a hydrological study been completed for the project or project site?

☐ Yes (*Enclose the hydrological study*) ☑ No

Note: A hydrological study or other information on site hydraulics (e.g., flows, channel characteristics, and/or flood recurrence intervals) may be required to evaluate potential project impacts on hydrology.

10. PROJECT DESCRIPTION

A. Describe the project in detail. Photographs of the project location and immediate surrounding area should be included.

- Include any structures (e.g., rip-rap, culverts, or channel clearing) that will be placed, built, or completed in or near the stream, river, or lake.
- Specify the type and volume of materials that will be used.
- If water will be diverted or drafted, specify the purpose or use.

Enclose diagrams, drawings, plans, and/or maps that provide all of the following: site specific construction details; the dimensions of each structure and/or extent of each activity in the bed, channel, bank or floodplain; an overview of the entire project area (i.e., "bird's-eye view") showing the location of each structure and/or activity, significant area features, and where the equipment/machinery will enter and exit the project area.

REDEVELOPMENT OF A 300' PORTION OF THE SEASONAL TRIBUTARY THAT WOULD INCLUDE RESTORING CAPACITY AND BANK STABILIZATION. RESTORING CAPACITY WILL INCLUDE INCREASING THE SIZE OF TWO UNDERSIZED CULVERTS AND WIDENING A CONSTRICTED PORTION OF THE BANK. SECONDLY, A COMBINATION OF VEGETATION AND OTHER APPROVED MATERIALS WILL BE UTILIZED TO SHORE THE BANKS AND STABILIZE AN ADJACENT UPLAND HILLSIDE FROM WHICH RUNOFF ENTERS. THE PROJECT WILL REDUCE THE DELIVERY OF FINE SEDIMENT FROM THIS TRIBUTARY INTO ORR CREEK AND WILL THUS IMPROVE WATER QUALITY AND RIPARIAN HABITAT.

METHODS MAY INCLUDE SUCH MEASURES AS BRUSH MATTRESS, VEGETATIVE WALL, RIP-RAP, AND BIODEGRADABLE EROSION CONTROL BLANKETS. PLANTING OF CALIFORNIA NATIVE TRES, PLANTS, AND SHRUBS OF SUFFICENT SIZE TO ENSURE HIGHER SURVIVAL RATES AND ECOLOGICAL BENEFITS SOONER.

WORK TO BE PERFORMED DURING SUMMER MONTHS WHEN SEASONAL TRIBUTARY WILL BE DRY.

☐ *Continued on additional page(s)*

B. Specify the equipment and machinery that will be used to complete the project.

SMALL BACKHOE TRACTOR WILL BE USED IN REPLACING CULVERTS. SMALL HAND TOOLS FOR PLANTING OF VEGETATION BY CHAMBERLIN CREEK CONSERVATION CAMP INMATES UNDER THE DIRECTION OF THE CALIFORNIA DEPARTMENTS OF CORRECTION AND FORESTRY WILL BE UTILIZED FOR LABOR IN COLLABORATION WITH CITY OF UKIAH PARKS/GOLF MAINTENANCE STAFF.

☐ *Continued on additional page(s)*

C. Will water be present during the proposed work period (specified in box 4.D) in the stream, river, or lake (specified in box 8.B).	☐ Yes ☑ No (*Skip to box 11*)
D. Will the proposed project require work in the wetted portion of the channel?	☐ Yes (*Enclose a plan to divert water around work site*) ☑ No

9. PROJECT CATEGORY AND WORK TYPE *(Check each box that applies)*

PROJECT CATEGORY	NEW CONSTRUCTION	REPLACE EXISTING STRUCTURE	REPAIR/MAINTAIN EXISTING STRUCTURE
Bank stabilization – bioengineering/recontouring	☐	☐	☐
Bank stabilization – rip-rap/retaining wall/gabion	☐	☐	☑
Boat dock/pier	☐	☐	☐
Boat ramp	☐	☐	☐
Bridge	☐	☐	☐
Channel clearing/vegetation management	☐	☐	☐
Culvert	☐	☑	☐
Debris basin	☐	☐	☐
Dam	☐	☐	☐
Diversion structure – weir or pump intake	☐	☐	☐
Filling of wetland, river, stream, or lake	☐	☐	☐
Geotechnical survey	☐	☐	☐
Habitat enhancement – revegetation/mitigation	☐	☐	☐
Levee	☐	☐	☐
Low water crossing	☐	☐	☐
Road/trail	☐	☐	☐
Sediment removal – pond, stream, or marina	☐	☐	☐
Storm drain outfall structure	☐	☐	☐
Temporary stream crossing	☐	☐	☐
Utility crossing : Horizontal Directional Drilling	☐	☐	☐
Jack/bore	☐	☐	☐
Open trench	☐	☐	☐
Other *(specify)*:	☐	☐	☐

NOTIFICATION OF LAKE OR STREAMBED ALTERATION

6. PROJECT LOCATION

A. Address or description of project location.
(Include a map that marks the location of the project with a reference to the nearest city or town, and provide driving directions from a major road or highway)

599 PARK BLVD UKIAH, CA 95482 UKIAH MUNICIPAL GOLF COURSE

HWY 101 (UKIAH)
EXIT PERKINS ST - WEST
R - NORTH SPRING ST
L - WALNUT AVE
L - PARK BLVD

☐ *Continued on additional page(s)*

B. River, stream, or lake affected by the project.	UNNAMED TRIBUTARY
C. What water body is the river, stream, or lake tributary to?	SEASONAL TRIBUTARY
D. Is the river or stream segment affected by the project listed in the state or federal Wild and Scenic Rivers Acts?	☐ Yes ☑ No ☐ Unknown
E. County	MENDOCINO

F. USGS 7.5 Minute Quad Map Name	G. Township	H. Range	I. Section	J. ¼ Section
UKIAH, CA	YOKAYO	RANCHO	LOT 7	
NOT SECTIONALIZED				

☐ *Continued on additional page(s)*

K. Meridian *(check one)* ☐ Humboldt ☑ Mt. Diablo ☐ San Bernardino

L. Assessor's Parcel Number(s)

001-090-01-00

☐ *Continued on additional page(s)*

M. Coordinates *(If available, provide at least latitude/longitude or UTM coordinates and check appropriate boxes)*

Latitude/Longitude	*Latitude:* 39° 09' 00"	*Longitude:* 123° 13' 30"	
	☑ Degrees/Minutes/Seconds	☐ Decimal Degrees	☐ Decimal Minutes
UTM	*Easting:*	*Northing:*	☐ Zone 10 ☐ Zone 11
Datum used for Latitude/Longitude or UTM	☐ NAD 27	☐ NAD 83 or WGS 84	

NOTIFICATION OF LAKE OR STREAMBED ALTERATION

5. AGREEMENT TYPE

Check the applicable box. If box B, C, D, or E is checked, complete the specified attachment.

A.	☑ Standard *(Most construction projects, excluding the categories listed below)*	
B.	☐ Gravel/Sand/Rock Extraction (*Attachment A*)	*Mine I.D. Number:* _____
C.	☐ Timber Harvesting (*Attachment B*)	THP *Number:* _____
D.	☐ Water Diversion/Extraction/Impoundment (*Attachment C*)	*SWRCB Number:* _____
E.	☐ Routine Maintenance (*Attachment D*)	
F.	☐ DFG Fisheries Restoration Grant Program (FRGP)	*FRGP Contract Number:* _____
G.	☐ Master	
H.	☐ Master Timber Harvesting	

6. FEES

Please see the current fee schedule to determine the appropriate notification fee. Itemize each project's estimated cost and corresponding fee. *Note: The Department may not process this notification until the correct fee has been received.*

	A. Project	B. Project Cost	C. Project Fee
1	SEASONAL TRIBUTARY UKIAH MUNICIPAL GOLF COURSE	$17,000.00	$500.00
2			
3			
4			
5			
	D. Base Fee *(if applicable)*		
	E. TOTAL FEE ENCLOSED		$500.00

7. PRIOR NOTIFICATION OR ORDER

A. Has a notification previously been submitted to, or a Lake or Streambed Alteration Agreement previously been issued by, the Department for the project described in this notification?

☐ Yes (*Provide the information below*) ☑ No

Applicant: _____ Notification Number: _____ Date: _____

B. Is this notification being submitted in response to an order, notice, or other directive ("order") by a court or administrative agency (including the Department)?

☐ No ☑ Yes (*Enclose a copy of the order, notice, or other directive. If the directive is not in writing, identify the person who directed the applicant to submit this notification and the agency he or she represents, and describe the circumstances relating to the order.*)

☐ *Continued on additional page(s)*

FOR DEPARTMENT USE ONLY				
Date Received	Amount Received	Amount Due	Date Complete	Notification No.
	$	$		

STATE OF CALIFORNIA
DEPARTMENT OF FISH AND GAME

NOTIFICATION OF LAKE OR STREAMBED ALTERATION

Complete EACH field, unless otherwise indicated, following the enclosed instructions and submit ALL required enclosures. Attach additional pages, if necessary.

1. APPLICANT PROPOSING PROJECT

Name	CITY OF UKIAH		
Business/Agency			
Street Address	300 SEMINARY AVE		
City, State, Zip	UKIAH, CA 95482		
Telephone	(707) 467-5719	Fax	(707) 463-6740
Email	GMILLS@CITYOFUKIAH.COM		

2. CONTACT PERSON *(Complete only if different from applicant)*

Name	GUY MILLS		
Street Address	300 SEMINARY AVE		
City, State, Zip	UKIAH, CA 95482		
Telephone	(707) 467-5719	Fax	(707) 463-6740
Email	GMILLS@CITYOFUKIAH.COM		

3. PROPERTY OWNER *(Complete only if different from applicant)*

Name			
Street Address			
City, State, Zip			
Telephone		Fax	
Email			

4. PROJECT NAME AND AGREEMENT TERM

A. Project Name	SEASONAL TRIBUTARY UKIAH MUNICIPAL GOLF COURSE			
B. Agreement Term Requested	☑ Regular (*5 years or less*) ☐ Long-term (*greater than 5 years*)			
C. Project Term		D. Seasonal Work Period		E. Number of Work Days
Beginning (*year*)	Ending (*year*)	Start Date (*month/day*)	End Date (*month/day*)	
2008	2008	06/01	08/31	60.00

City of Ukiah
300 Seminary Avenue, Ukiah, CA 95482

Disbursement Voucher

Requested By: Guy Mills Date: 3/18/08

PAY TO: Department of Fish and Game

Address: 619 2nd St
Eureka CA 95501

015971
new

Account #	pc	
Account #	612.3580.630000 8013	$ 500.00
Account #		$
Account #		$
Account #		$

TOTAL AMOUNT REQUESTED 500.00

Reason: Permit Fee for creek restoration @ Golf Course for WWTP penalty/citation satisfaction.

SPECIAL HANDLING INSTRUCTIONS

- ☐ Mail Directly
- ☐ Mail with Attachment
- ☒ Return check to requestor
- ☐ Other:

Approved By:

Back up to follow

Government Services

City of Ukiah
300 Seminary Avenue
Ukiah, CA 95482-5400
707-463-6230
Void After 90 Days

NO. **83146**

DATE
03/21/2008

CHECK NO.
83146

AMOUNT
$500.00

FIVE HUNDRED AND 00/100 DOLLARS

PAY TO THE ORDER OF
DEPT OF FISH & GAME
619 2ND ST
EUREKA CA 95501

*****Not Negotiable*****
*****Not Negotiable*****
*****Not Negotiable*****
*****Not Negotiable*****

City Manager

VENDOR 015971 DEPT OF FISH & GAME 03/21/2008 Check 83146

ACCOUNT	P.O.	INVOICE	DESCRIPTION	AMOUNT
612.3580.630.000		NONE	PERMIT FEE	500.00

office copy

TOTAL 500.00

CITY OF UKIAH - UKIAH, CALIFORNIA 95482

GRANITE CONSTRUCTION COMPANY SINCE 1922

COPY

North State St. Hot Plant
4201 North State St
Ukiah,CA 95482
(707)467-4182

Ticket No. 34822716
10/30/2008 9:27:50AM

Customer: City of Ukiah
202076

Order ID: N08010
Job/PO# :

Location: GULF COURSE
UKIAH

Comments:

Vehicle: 15044 City of Ukiah
License: 1026137 | |
Carrier:
Product : 2020-COM-B 12.5MM COMMERCIAL MIX TYPE B

	Pounds	Metric Tons	Tons
Gross	33,220		
Tare	20,640 *		
Net	12,580	5.71	6.29

Scale: 3 * Predetermined Tare

FOB: PICK-UP

This Load:	6.29 Ton
Load No:	2
Shipped:	18.62 Ton

Weighmaster: Granite Construction Company
Deputy: DUANE MORLAN

UnitPrice 98.75

Net Price	621.14
Other Charges:	0.00
Tax	48.14
Freight	0.00
Total	669.28

WEIGHMASTER CERTIFICATE

THIS IS TO CERTIFY that the following described commodity was weighed, measured, or counted by a weighmaster, whose signature is on this certificate, who is a recognized authority of accuracy, as prescribed by Chapter 7 (commencing with Section 12700) of Division 5 of the California Business and Professions Code, administered by the Division of Measurement Standards of the California Department of Food and Agriculture.

Accepted by: _____

WARNING: THIS PRODUCT CONTAINS A CHEMICAL KNOWN TO THE STATE OF CALIFORNIA TO CAUSE CANCER, BIRTH DEFECTS OR OTHER REPRODUCTIVE HARM.

WARNING: THIS PRODUCT CONTAINS CRYSTALLINE SILICA (QUARTZ). CRYSTALLINE SILICA IS A COMMON NATURALLY OCCURING MINERAL FOUND IN SAND AND ROCK. PROLONGED AND REPEATED BREATHING OF CRYSTALLINE SILICA DUST MAY CAUSE RESPIRATORY AND OTHER HEALTH PROBLEMS, INCLUDING LUNG DISEASE, SILICOSIS AND CANCER, WHICH MAY RESULT IN PERMANENT INJURY OR DEATH. BEFORE USING OR HANDLING THIS PRODUCT READ THE MATERIAL SAFETY DATA SHEET FOR MORE DETAILED INFORMATION INCLUDING INFORMATION ON APPROPRIATE RESPIRATORY PROTECTION. MSDS SHEETS AVAILABLE AT WWW.GRANITECONSTRUCTION.COM/MSDS OR BY CONTACTING YOUR LOCAL OFFICE.

ad rev. nfm

4636234

Invoice

NORTHERN AGGREGATES INC
P.O. BOX 1566
Willits, Ca 95490

Phone: 707-459-3929
Fax: 707-459-0644

Date: 10/23/2008
Invoice #: 102308

026340

Revised Invoice

Bill To:

City of Ukiah
300 Seminary Ave
Ukiah, CA 95482

Job: 38662
Attn : Mary

Item	Date	Description		Qty	Price	Amount
1	10/23/2008	1/4 Ton Rip Rap	94.26 tons	8.00	$ 458.00	$ 3,664.00

Includes Tax, Frt and Surcharge

PO 38662/P
$3664.00 overrid P.O. amt F
(no tax, etc.)

10/31

Subtotal	$ 3,664.00
Invoice Total	$ 3,664.00

Final invoice per quoted price
Invoice 33302 Thank you!

NORTHERN AGGREGATES, INC.

P.O. Box 1566
FAX (707) 459-0644

Willits, CA 95490
(707) 459-3929

TERMS: Net 30 Days. One and one-half (1 ½ %) percent charged on past due accounts. Any reasonable legal fees incurred in collection of above will be added to this charge.

INVOICE 38042 / 3301
PAGE 1
DATE 9/24/08
TERMS Net 30 Days

4636204

ACCOUNT NO. UKIAHCIT

SOLD TO
CITY OF UKIAH
300 SEMINARY AVENUE
UKIAH , CA 95482-5400

026340

Revised

Ticket	Date	P.O.	Order	Location	Product	Qty	Material Rate	Material Amount	Freight Rate	Freight Amount	Fee Amount	Tax Amount	Total
2807959	09/24/08	38603		2	1/4 TON RI	11.68	39.55	457.99	0.00	0.00	0.00	35.49	493.48
2807963	09/24/08	38603		2	1/4 TON RI	10.43	43.91	457.98	0.00	0.00	0.00	35.49	493.47
2807967	09/24/08	38603		2	1/4 TON RI	11.71	39.11	457.98	0.00	0.00	0.00	35.49	493.47
2807972	09/24/08	38603		2	1/4 TON RI	10.55	43.00	457.95	0.00	0.00	0.00	35.49	493.44
Subtotal						44.37	Ton	$1831.90		$0.00	$0.00	$141.96	$1,973.86
Invoice Total						44.37		$1831.90		$0.00	$0.00	$141.96	$1,973.86

7.75%

Total Invoice ——> $1,973.86

NAI thanks you for your
continued support & business !

PO 38603/P
$1973.86 use P.O. 'F'

I see what you are saying
it was delivered to Golf Course 7.75%
Sorry for confusion Thank you!

9/30
10/10

PACE SUPPLY CORP.

2015 Duke Ct
Santa Rosa, CA 95407-7888
(707) 545-7101 Fax (707) 577-0964

DATE SHIPPED	INVOICE DATE	INVOICE NUMBER	PAGE
10/21/08	10/21/08	2488007	1

INVOICE

SOLD TO
CUST# (03441-00)
CITY OF UKIAH
ACCOUNTS PAYABLE
300 SEMINARY AVE 011930
UKIAH, CA 95482-6466

SHIP TO
CITY OF UKIAH
1320 AIRPORT RD.
UKIAH, CA 95482

CUSTOMER PURCHASE ORDER	JOB NAME	SHIPPED VIA	TERMS	TAXABLE ITEMS
038403	ROB	PICK UP	2%10TH NET 25TH	

PART/DESCRIPTION	ORDER	SHIP	LIST	MULT	EXTENSION
DRNSURELOK10.836 SURE-LOK 10.8 WATERTIGHT PIPE 36"20	80	80	9010.48	.4331	3122.40 Y

RECEIVED
OCT 29 2008
CITY OF UKIAH
FINANCE DEPT.

PO 38689/P
$3297.10
Use PO# 38689 / $3364.39 - PO'F'
add (67.29) Discount

3364.39
- 67.29
$3297.10

10/31
11/7

THIS INVOICE IS SUBJECT TO ALL TERMS AND CONDITIONS ON THE FACE AND REVERSE	GROSS	TAX%	SALES TAX	FREIGHT	OTHER CHARGES	INVOICE TOTAL
	3122.40	7.75	241.99	0.00	0.00	3364.39

PACE SUPPLY CORP.
2815 Duke Ct.
Santa Rosa, CA 95407-7888
(707) 545-7101 · Fax (707) 577-0964

DATE SHIPPED	INVOICE DATE	INVOICE NUMBER	PAGE
09/24/08	09/24/08	2466964	1

INVOICE

SOLD TO
CUST# (03441-00)
CITY OF UKIAH
ACCOUNTS PAYABLE
300 SEMINARY AVE
UKIAH, CA 95482-6466
V# 011930

SHIP TO
CITY OF UKIAH
1320 AIRPORT RD.
UKIAH, CA 95482

CUSTOMER PURCHASE ORDER	JOB NAME	SHIPPED VIA	TERMS	TAXABLE ITEMS
38602	GOLF COURSE DRAINAGE	OUR TRUCK	2X10TH NET 25TH	

PART/DESCRIPTION		ORDER	SHIP	LIST	MULT	EXTENSION	
DRNSURELOK48 SURE-LOK PIPE W/F477 48"20	1	40	40	15325.84	.4325	✓ 2651.76	Y
DRNSURELOK10.812 SURE-LOK 10.8 WATERTIGHT PIPE 12"20	2	40	40	1510.40	.4442	✓ 268.39	Y

INSTRUCTIONS: SHIP COMPLETE, CALL ASAP
TO SET UP DEL. TIME AND PLACE
MARY 463-6233

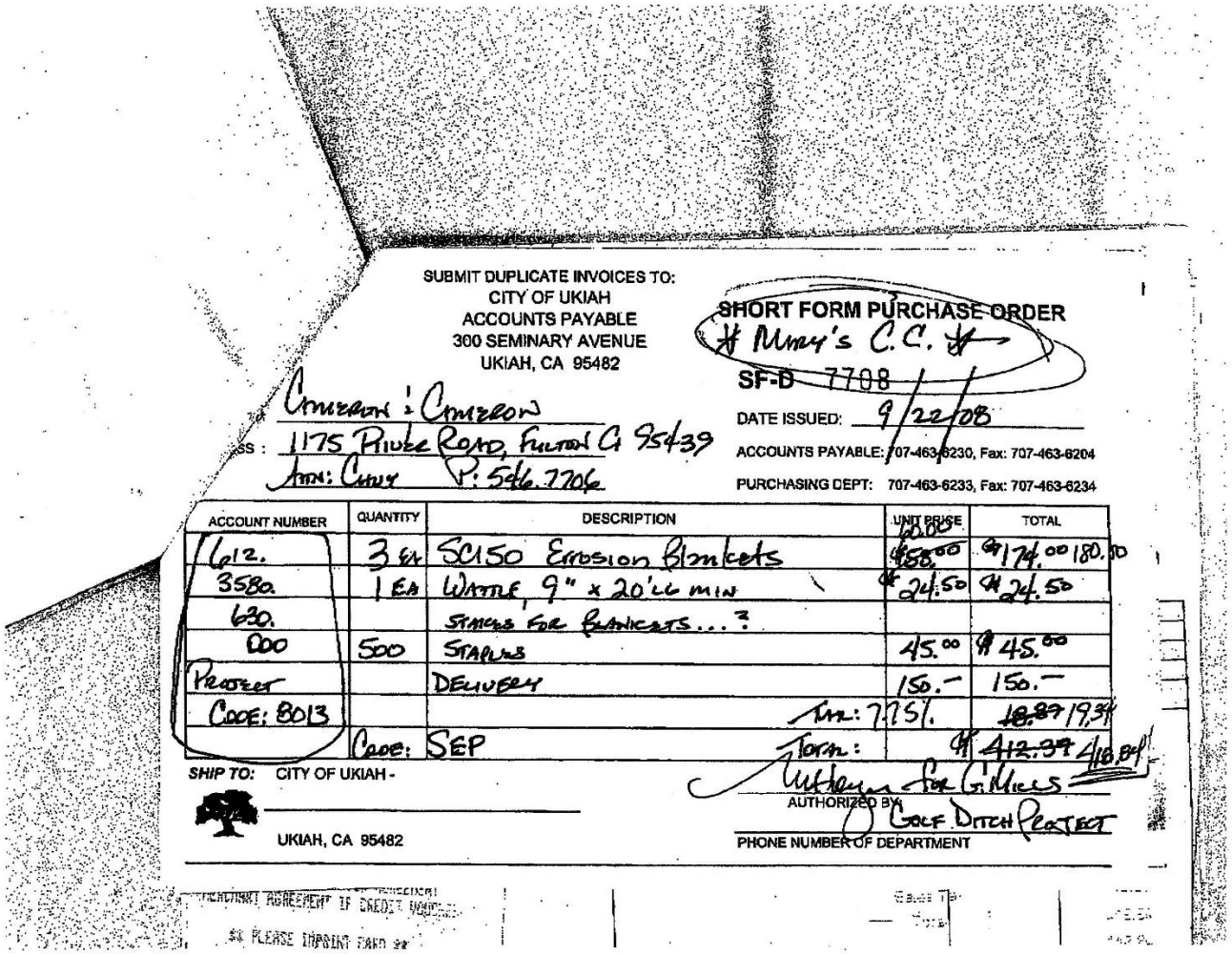
RECEIVED
SEP 29 2008
CITY OF UKIAH
FINANCE DEPT.

PO 38602 P
3155.46 / 1-2 from PO' F'
add 9.00 Shpg/hdlg F

Guy 9/30/08
ROI #8013
Thanks
TOM

10/24

THIS INVOICE IS SUBJECT TO ALL TERMS AND CONDITIONS ON THE FACE AND REVERSE	GROSS	TAX%	SALES TAX	FREIGHT	OTHER CHARGES	INVOICE TOTAL
	2920.15	7.75	226.31	9.00	0.00	3155.46



SUBMIT DUPLICATE INVOICES TO:
CITY OF UKIAH
ACCOUNTS PAYABLE
300 SEMINARY AVENUE
UKIAH, CA 95482

SHORT FORM PURCHASE ORDER

Mary's C.C.

SF-D 7708

DATE ISSUED: 9/22/08

ACCOUNTS PAYABLE: 707-463-6230, Fax: 707-463-6204

PURCHASING DEPT: 707-463-6233, Fax: 707-463-6234

Cameron & Cameron
1175 River Road, Fulton Ca 95439
Attn: Chuy P: 546.7706

ACCOUNT NUMBER	QUANTITY	DESCRIPTION	UNIT PRICE	TOTAL
612.	3 EA	SC150 Erosion Blankets	~~$58.00~~ 60.00	$174.00 180.00
3580.	1 EA	Wattle, 9" x 20'LG min	$24.50	$24.50
630.		Stakes for Blankets...?		
000	500	Staples	45.00	$45.00
Project		Delivery	150.-	150.-
Code: 8013		Tax: 7.75%		~~18.87~~ 19.34
	Code:	SEP Total:		$ ~~412.39~~ 418.84

SHIP TO: CITY OF UKIAH -

UKIAH, CA 95482

Authorized for G. Mills
AUTHORIZED BY:
Golf Ditch Project
PHONE NUMBER OF DEPARTMENT

MERCHANT AGREEMENT IF CREDIT VOUCHER
** PLEASE IMPRINT CARD **

Invoice No. 43877

Cornflower Farms
P.O. Box 896
Elk Grove CA 95759

Phone#: 916/689/1015
FAX#: 916/689/1968
E-mail: natives@cornflowerfarms.com

INVOICE

GWSS
Compliance
GWSS #34-003

Sold To: City of Ukiah
300 Seminary Ave
Ukiah CA 95482

Ship To: Golf/Parks Dept
599 Park Blvd
Ukiah CA 95482

credit Card

Customer ID	Invoice Date	Ship Via	Terms	Page
CITUKI1	9/30/08		COD	1
Purchase Order No.	Date Shipped	Ordered By	F.O.B	
38608	9/30/08			

Quantity Ordered	Quantity Shipped	Quantity B.O.	Item Number	Description	Unit Price	Extended Price
9	9	0	CORSTO-01	Cornus stolonifera redtwig or western dogwood	4.62	41.58
16	16	0	ROSCAL-01	Rosa californica California wild rose	4.62	73.92
24	24	0	LONHIS-01	Lonicera hispidula var. vacillans pink wild honeysuckle	4.80	115.20
17	17	0	SYMALB-01	Symphoricarpos albus var. laevigatus snowberry	4.75	80.75
				Contact: Mary Hoger707/469-6233		
1	1	0	FREIGHT	Delivery Charge	75.00	75.00
9	9	0	VITCAL-01	Vitis californica California wild grape	4.80	43.20
				Contact: rob 707/272-0642		

Items 1-5 per PO. 380.14 F

460.80

Item 6 80.81

<2.15> DT.237

7.75% = 33.30
-31.15

Terms are cash on delivery unless buyer has obtained prior credit approval. Payment will be due within 30 days of shipment. A service charge of 2% per month (24% per year) shall be paid on all past due accounts. We provide a curbside delivery. The truck can not be taken on unimproved roads. The driver is not responsible to "spot" plants in locations or carry plants into the job site. We require assistance when unloading at all job sites and nurseries. All claims must be made immediately upon receipt of goods. We will not honor claims which are filed after goods have been accepted or which are not made within 72 hours after arrival. Warranty, of goods is neither expressed or implied, as to variety, description, life, or productivity of any nursery stock we sell. Customers will be charged a restocking fee of 20% of the value of any approved returned materials. California Nursery Stock Certificate No: B5743 - Shipments need not be held for inspection in California. Issued by: Sacramento County Agricultural Commissioner and California Department of Agriculture, Sacramento 95814

Materials	354.65
Labor	
Sales Tax 7.250	31.15
Freight %7.00	75.00
Total	460.80

Original Copy

Received /Terms Accepted: T. 0631 Date: 10-1-08

INVOICE

PLEASE MAIL REMITTANCE TO:
FILE 7436501
PO BOX 60000
SAN FRANCISCO, CA 94160-3523

INVOICE DATE: 10/22/08

Ukiah Office
707-467-4100 (2030)

202076

Ukiah, City of
300 Seminary Avenue
Prsh. Ord. 038381 exp. 06/30/09
Ukiah , CA 95482

ORDER NO.	CUSTOMER NO.	PLANT NO.	INVOICE NO.
T071202	202076	203831	112277

JOB ADDRESS	DATE OF SALE
GOLF COURSE	10/22/08
	ROW

A LATE PENALTY OF 1.5% WILL BE APPLIED ON PAST DUE BALANCES MONTHLY. PAGE: 1

TICKET NUMBER	MATERIAL DESCRIPTION	QUANTITY	UNIT PRICE	OTHER CHARGES	FEE AMOUNT	EXTENDED AMOUNT	FOB	*
33738895 10/22/08	5/16" RED SAND (3004)	6.77	28.00	0.00	0.00	189.56	P	18
33738896 10/22/08	5/16" RED SAND (3004)	5.97	28.00	0.00	0.00	167.16	P	18
PRODUCT TOTAL	5/16" RED SAND (3004)	12.74 Ton		0.00	0.00	356.72		

RECEIVED
OCT 28 2008
CITY OF UKIAH
FINANCE DEPT.

WR23580.030.000
Proj#: 8013

TERMS: NET 30. The prevailing party shall be entitled to reasonable attorneys fees and costs in any action to collect the amounts due hereunder.

TOTAL FREIGHT	$0.00
SUBTOTAL	$356.72
SALES TAX	$27.64
INVOICE TOTAL	$384.36

Attention Accounts Payable!
Have a Wonderful Day!

FOB: P - PLANT J - JOB | * - FOR INTERNAL USE ONLY

Thank you for your business.

WARNING: THIS PRODUCT CONTAINS A CHEMICAL KNOWN TO THE STATE OF CALIFORNIA TO CAUSE CANCER, BIRTH DEFECTS OR OTHER REPRODUCTIVE HARM. MSDS SHEETS AVAILABLE AT WWW.GRANITECONSTRUCTION.COM/MSDS OR BY CONTACTING YOUR LOCAL OFFICE.

GCI REV. 3/07

Friedman's
HOME IMPROVEMENT

4055 SANTA ROSA AVE. • SAN... ...11
1360 BROADWAY • SONOMA, CA 95476 • 707/939-8811
1255 AIRPORT PARK BLVD. • UKIAH, CA 95482 • 707/468-7811

SOLD TO

ATTN: ACCTS PAYABLE
300 SEMINARY AVE
UKIAH, CA 95482

32675997

SHIP TO

ATTN: ACCTS PAYABLE
300 SEMINARY AVE
UKIAH, CA 95482

Shipment #: 1

ACCOUNT #	CUSTOMER P.O. #	TERMS	ORDER #	ORDER DATE	SLSMN	INVOICE #	INVOICE DATE
S165	038378	Net 10th	32802282	10/30/08	DGH	32675997	10/30/08

ORDERED	BACK ORDERED	SHIPPED	U/M	DESCRIPTION	PRICE	AMOUNT
-1	0	-1	EA	BASALITE PALLET CHARGE 4311111	20.000	-20.00*

Return 612 3580 630 000

PROJ 8013

Tom Hamblet

"if we don't have it
you don't need it"

October 30, 2008 10:20:40 OT:DGH

FILLED BY | CHKD BY 0 / 1 | DRIVER

SHIP VIA

****
* CREDIT MEMO *
****

MERCHANDISE	-20.00
OTHER	0.00
TAX 7.750%	-1.55
FREIGHT	0.00
TOTAL	-21.55

IMPORTANT: SEE REVERSE SIDE FOR TERMS & CONDITIONS OF SALE. Purchaser agrees to pay all attorneys fees, court costs and interest in the event any charges are incurred by seller in collecting the amounts represented by this invoice, with or without litigation or suit.

employee i. d. required

RECEIVED THE ABOVE IN GOOD CONDITION: X Carl Gowan 4700

Friedman's
HOME IMPROVEMENT

4055 SANTA ROSA AVE. • SANTA ROSA, CA 95407 • 707/584-7811
1360 BROADWAY • SONOMA, CA 95476 • 707/939-8811
1255 AIRPORT PARK BLVD. • UKIAH, CA 95482 • 707/468-7811

SOLD TO

CITY OF UKIAH
ATTN: ACCTS PAYABLE
300 SEMINARY AVE
UKIAH, CA 95482

* 3 2 6 7 4 4 5 6 *

SHIP TO

CITY OF UKIAH
ATTN: ACCTS PAYABLE
300 SEMINARY AVE
UKIAH, CA 95482

Shipment #: 1

ACCOUNT #	CUSTOMER P.O. #	TERMS	ORDER #	ORDER DATE	SLSMN	INVOICE #	INVOICE DATE
5165	038378	Net 10th	32800692	10/28/08	SLA	32674456	10/28/08

ORDERED	BACK ORDERED	SHIPPED	U/M	DESCRIPTION	PRICE	AMOUNT
				Donald O'Hara		
-2	0	-2	EA	BASALITE PALLET CHARGE	18.750	-37.50*
				4311111		
56	0	56	EA	CONCRETE MIX 60#	2.480	138.88*
				4310064		
				voucher #25994		

GOLF
BACK '91' 612 3580 630 000
project #8013
Tom Hublet

"If we don't have it
you don't need it"

October 28, 2008 15:05:29 OT:SLA

KILLED BY	CHK'D BY	DRIVER
	0 7 1	

MERCHANDISE	101.38
OTHER	0.00
TAX 7.750%	7.86
FREIGHT	0.00
TOTAL	109.24

****
* INVOICE *
****

SHIP VIA

IMPORTANT: SEE REVERSE SIDE FOR TERMS & CONDITIONS OF SALE. Purchaser agrees to pay all attorneys fees, court costs and interest in the event any charges are incurred by seller in collecting the amounts represented by this invoice, with or without litigation or suit.
employee i. d. required

RECEIVED THE ABOVE IN GOOD CONDITION: X [signature] 750

Friedman's
HOME IMPROVEMENT

4056 SANTA ROSA AVE. • SANTA ROS
1360 BROADWAY • SONOMA, CA 95476 • 707/939-8811
1255 AIRPORT PARK BLVD. • UKIAH, CA 95482 • 707/468-7811

SOLD TO

CITY OF UKIAH
ATTN: ACCTS PAYABLE
300 SEMINARY AVE
UKIAH, CA 95482

* 3 2 6 7 4 3 6 4 *

SHIP TO

CITY OF UKIAH
ATTN: ACCTS PAYABLE
300 SEMINARY AVE
UKIAH, CA 95482

Shipment #: 1

ACCOUNT #	CUSTOMER P.O. #	TERMS	ORDER #	ORDER DATE	SLSMN	INVOICE #	INVOICE DATE
5165	038378	Net 10th	32800599	10/28/08	CLJ	32674364	10/28/08

ORDERED	BACK ORDERED	SHIPPED	U/M	DESCRIPTION	PRICE	AMOUNT
1	0	1	EA	~~BASALITE PALLET CHARGE~~ Return 4311111	18.750	18.75*
56	0	56	EA	CONCRETE MIX 60# 4310064	2.480	138.88*

GOLF 612 3580 630 000
BACK "9" project #8013
Tom Humblet

"If we don't have it
you don't need it"

October 28, 2008 14:06:27 OT:CLJ

FILLED BY	CHKD BY	DRIVER
	0 / 1	

MERCHANDISE	157.63
OTHER	0.00
TAX 7.750%	12.22
FREIGHT	0.00
TOTAL	169.85

****
* INVOICE *
****

SHIP VIA

IMPORTANT: SEE REVERSE SIDE FOR TERMS & CONDITIONS OF SALE. Purchase agrees to pay all attorneys fees, court costs and interest in the event any charges are incurred by seller in collecting the amounts represented by this invoice, with or without litigation or suit.
employee i. d. required

RECEIVED THE ABOVE IN GOOD CONDITION: X [signature] #7509

Friedman's
HOME IMPROVEMENT

4055 SANTA ROSA AVE. • SANTA ROSA, CA 95407 • 707/584-7811
1360 BROADWAY • SONOMA, CA 95476 • 707/939-8811
1255 AIRPORT PARK BLVD. • UKIAH, CA 95482 • 707/468-7811

SOLD TO

CITY OF UKIAH
ATTN: ACCTS PAYABLE
300 SEMINARY AVE
UKIAH, CA 95482

SHIP TO

CITY OF UKIAH
ATTN: ACCTS PAYABLE
300 SEMINARY AVE
UKIAH, CA 95482

* 3 2 6 7 4 0 9 1 *

Shipment #: 1

ACCOUNT #	CUSTOMER P.O. #	TERMS	ORDER #	ORDER DATE	SLSMN	INVOICE #	INVOICE DATE
5165	038378	Net 10th	32800319	10/28/08	CLJ	32674091	10/28/08

ORDERED	BACK ORDERED	SHIPPED	U/M	DESCRIPTION	PRICE	AMOUNT
				donald ohara		
56	0	56	EA	CONCRETE MIX 60# 4310064	2.480	138.88*
1	0	1	EA	BASALITE PALLET CHARGE 4311111	18.750	18.75*

GOLF 612 3580 630 000
BACK "9" project #8013

Tom Humblet

"If we don't have it you don't need it"

October 28, 2008 11:33:14 OT:CLJ

FILLED BY	CHK'D BY	DRIVER
	0 / 1	

MERCHANDISE	157.63
OTHER	0.00
TAX 7.750%	12.22
FREIGHT	0.00
TOTAL	169.85

****
* INVOICE *
****

SHIP VIA

IMPORTANT: SEE REVERSE SIDE FOR TERMS & CONDITIONS OF SALE. Purchase agrees to pay all attorneys fees, court costs and interest in the event any charges are incurred by seller in collecting the amounts represented by this invoice, with or without litigation of suit.
employee i. d. required

RECEIVED THE ABOVE IN GOOD CONDITION: X [signature] 7509

Friedman's
HOME IMPROVEMENT

4055 SANTA ROSA AVE. • SANTA ROSA, CA 95407 • 707/584-7811
1360 BROADWAY • SONOMA, CA 95476 • 707/939-8811
1255 AIRPORT PARK BLVD. • UKIAH, CA 95482 • 707/468-7811

SOLD TO

CITY OF UKIAH
ATTN: ACCTS PAYABLE
300 SEMINARY AVE
UKIAH, CA 95482

32673736

SHIP TO

CITY OF UKIAH
ATTN: ACCTS PAYABLE
300 SEMINARY AVE
UKIAH, CA 95482

Shipment #: 1

ACCOUNT #	CUSTOMER P.O. #	TERMS	ORDER #	ORDER DATE	SLSMN	INVOICE #	INVOICE DATE
5165	038378	Net 10th	32799952	10/28/08	SLA	32673736	10/28/08

ORDERED	BACK ORDERED	SHIPPED	U/M	DESCRIPTION	PRICE	AMOUNT
-5	0	-5	EA	Cole Gowan BASALITE PALLET CHARGE 4311111	18.750	-93.75*

612 3580 630 000
PROJ # 8013
Tom Chamblett

"If we don't have it
you don't need it"

October 28, 2008 07:34:45 DT:SLA

FILLED BY | CHK'D BY 07 1 | DRIVER

****
* CREDIT MEMO *
****

SHIP VIA

IMPORTANT: SEE REVERSE SIDE FOR TERMS & CONDITIONS OF SALE. Purchaser agrees to pay all attorneys fees, court costs and interest in the event any charges are incurred by seller in collecting the amounts represented by this invoice, with or without litigation or suit.
employee i. d. required

RECEIVED THE ABOVE IN GOOD CONDITION: X [signature] 4700

MERCHANDISE	-93.75
OTHER	0.00
TAX 7.750%	-7.27
FREIGHT	0.00
TOTAL	-101.02

Friedman's
HOME IMPROVEMENT

4055 SANTA ROSA AVE. • SANTA RO
1360 BROADWAY • SONOMA, C
1255 AIRPORT PARK BLVD. • UKIAH, CA 95482 • 707/468-7811

SOLD TO

CITY OF UKIAH
ATTN: ACCTS PAYABLE
300 SEMINARY AVE
UKIAH, CA 95482

* 3 2 6 7 3 3 0 1 *

SHIP TO

CITY OF UKIAH
ATTN: ACCTS PAYABLE
300 SEMINARY AVE
UKIAH, CA 95482

Shipment #: 1

ACCOUNT #	CUSTOMER P.O. #	TERMS	ORDER #	ORDER DATE	SLSMN	INVOICE #	INVOICE DATE
5165	038378	Net 10th	32799499	10/27/08	NEW	32673301	10/27/08

ORDERED	BACK ORDERED	SHIPPED	U/M	DESCRIPTION	PRICE	AMOUNT
				raul ramos		
1	0	~~1~~	EA	~~BASALITE PALLET CHARGE~~ Return 4311111	18.750	18.75*
56	0	56	EA	CONCRETE MIX 60# 4310064	2.480	138.88*

NEW

Golf Course

612 3580 630 000

BACK "9"
project #8013
Tom Humblet

"If we don't have it
you don't need it"

October 27, 2008 14:16:54 DT:NEW

FILLED BY	CHK'D BY	DRIVER
	0 / 1	

MERCHANDISE	157.63
OTHER	0.00
TAX 7.750%	12.22
FREIGHT	0.00
TOTAL	169.85

****
* INVOICE *
****

SHIP VIA

IMPORTANT: SEE REVERSE SIDE FOR TERMS & CONDITIONS OF SALE. Purchaser agrees to pay all attorneys fees, court costs and interest in the event any charges are incurred by seller in collecting the amounts represented by this invoice, with or without litigation or suit.

employee i. d. required

PAGE 1 OF 1

RECEIVED THE ABOVE IN GOOD CONDITION: X [signature] 8938

Friedman's
HOME IMPROVEMENT

4055 SANTA ROSA AVE. • SANTA ROS
1360 BROADWAY • SONOMA, CA 95476 • 707/939-8811
1255 AIRPORT PARK BLVD. • UKIAH, CA 95482 • 707/468-7811

SOLD TO

CITY OF UKIAH
ATTN: ACCTS PAYABLE
300 SEMINARY AVE
UKIAH, CA 95482

32673064

SHIP TO

CITY OF UKIAH
ATTN: ACCTS PAYABLE
300 SEMINARY AVE
UKIAH, CA 95482

Shipment #: 1

ACCOUNT #	CUSTOMER P.O. #	TERMS	ORDER #	ORDER DATE	SLSMN	INVOICE #	INVOICE DATE
5165	038378	Net 10th	32799258	10/27/08	NEW	32673064	10/27/08

ORDERED	BACK ORDERED	SHIPPED	U/M	DESCRIPTION	PRICE	AMOUNT
				Raul Ramos		
1	0	1	EA	BASALITE PALLET CHARGE 4311111	18.750	18.75#
56	0	56	EA	CONCRETE MIX 60# 4310064	2.480	138.80#

Golf Course 612 3580 630 000

PROJ #8013

Tom Hamblett

"If we don't have it you don't need it"

October 27, 2008 12:06:54 OT:NEW

PULLED BY | CHECKED BY | DRIVER

****
* INVOICE *
****

SHIP VIA

employee I. D. required

MERCHANDISE	157.63
OTHER	0.00
TAX 7.750%	12.22
FREIGHT	0.00
TOTAL	169.85

IMPORTANT: SEE REVERSE SIDE FOR TERMS & CONDITIONS OF SALE. Purchaser agrees to pay all attorneys fees, court costs and interest in the event any charges are incurred by seller in collecting the amounts represented by this invoice, with or without litigation or suit.

PAGE 1 OF 1

8938

RECEIVED THE ABOVE IN GOOD CONDITION: X

Friedman's
HOME IMPROVEMENT

4055 SANTA ROSA AVE. • SANTA ROSA, CA 95407 • 707/584-7811
1360 BROADWAY • SONOMA, CA 95476 • 707/939-8811
1255 AIRPORT PARK BLVD. • UKIAH, CA 95482 • 707/468-7811

SOLD TO

CITY OF UKIAH
ATTN: ACCTS PAYABLE
300 SEMINARY AVE
UKIAH, CA 95482

SHIP TO

CITY OF UKIAH
ATTN: ACCTS PAYABLE
300 SEMINARY AVE
UKIAH, CA 95482

32670729

Shipment #: 1

ACCOUNT #	CUSTOMER P.O. #	TERMS	ORDER #	ORDER DATE	SLSMN	INVOICE #	INVOICE DATE
5165	038378	Net 10th	32796836	10/24/08	CLJ	32670729	10/24/08

ORDERED	BACK ORDERED	SHIPPED	U/M	DESCRIPTION	PRICE	AMOUNT
56	0	56	EA	cole gowan CONCRETE MIX 60# 4310064	2.480	138.88*

Golf Drainage

612.3580.030.000

Proj 8013

"If we don't have it
you don't need it"

FILLED BY	CHK'D QTY	DRIVER
	0 / 1	

October 24, 2008 14:30:07 OT:CLJ

****
* INVOICE *
****

SHIP VIA

IMPORTANT: SEE REVERSE SIDE FOR TERMS & CONDITIONS OF SALE. Purchaser agrees to pay all attorneys fees, court costs and interest in the event any charges are incurred by seller in collecting the amounts represented by this invoice, with or without litigation or suit.

employee i. d. required

RECEIVED THE ABOVE IN GOOD CONDITION: X

MERCHANDISE	138.88
OTHER	0.00
TAX 7.750%	10.76
FREIGHT	0.00
TOTAL	149.64

Friedman's
HOME IMPROVEMENT

4055 SANTA ROSA AVE. • SANTA RC
1360 BROADWAY • SONOMA, CA 95476 • 707/939-8811
1255 AIRPORT PARK BLVD. • UKIAH, CA 95482 • 707/468-7811

SOLD TO

CITY OF UKIAH
ATTN: ACCTS PAYABLE
300 SEMINARY AVE
UKIAH, CA 95482

SHIP TO

CITY OF UKIAH
ATTN: ACCTS PAYABLE
300 SEMINARY AVE
UKIAH, CA 95482

32570263

Shipment #: 1

ACCOUNT #	CUSTOMER P.O. #	TERMS	ORDER #	ORDER DATE	SLSMN	INVOICE #	INVOICE DATE
5165	038378	Net 10th	32796357	10/24/08	BJM	32670263	10/24/08

ORDERED	BACK ORDERED	SHIPPED	U/M	DESCRIPTION	PRICE	AMOUNT
1	0	1	RL	0401TS 180"X360' FILTER FABRIC 1597650	413.100	413.10*
56	0	56	EA	CONCRETE MIX 60# 4310024	2.480	138.88*
1	0	1	EA	BASALITE PALLET CHARGE 4311111 Cole Bowan	18.750	18.75*

Golf drainage 012.3580.030.000 = $307.48
PROJ 8013
SPLIT 50/50 100-6001-690-000
Tom Hamblet

"If we don't have it you don't need it"

FILLED BY	CHK'D BY	DRIVER
	0 / 1	

October 24, 2008 09:51:29 OT:BJM

****
* INVOICE *
****

SHIP VIA

MERCHANDISE	570.73
OTHER	0.00
TAX 7.750%	44.23
FREIGHT	0.00
TOTAL	614.96

IMPORTANT: SEE REVERSE SIDE FOR TERMS & CONDITIONS OF SALE. Purchaser agrees to pay all attorneys fees, court costs and interest in the event any charges are incurred by seller in collecting the amounts represented by this invoice, with or without litigation or suit.

employee i. d. required

RECEIVED THE ABOVE IN GOOD CONDITION: X Cole Cowan 4/2008

Friedman's HOME IMPROVEMENT

4055 SANTA ROSA AVE. • SANTA ROSA, CA 95407 • 707/584-7811
1360 BROADWAY • SONOMA, CA 95476 • 707/939-8811
1255 AIRPORT PARK BLVD. • UKIAH, CA 95482 • 707/468-7811

SOLD TO

CITY OF UKIAH
ATTN: ACCTS PAYABLE
300 SEMINARY AVE
UKIAH, CA 95482

SHIP TO

CITY OF UKIAH
ATTN: ACCTS PAYABLE
300 SEMINARY AVE
UKIAH, CA 95482

32669679

Shipment #: 1

ACCOUNT #	CUSTOMER P.O. #	TERMS	ORDER #	ORDER DATE	SLSMN	INVOICE #	INVOICE DATE
5165	038378	Net 10th	32795743	10/23/08	TMH	32669679	10/23/08

ORDERED	BACK ORDERED	SHIPPED	U/M	DESCRIPTION	PRICE	AMOUNT
				THOMAS HAMBLET, PARK/GOLF WORKER, ID		
56	0	56	EA	CONCRETE MIX 60# 4310064	2.480	138.88*
1	0	1	EA	BASALITE PALLET CHARGE 4311111	18.750	18.75*

612.3580.630.000

Proj # 8013

"If we don't have it you don't need it"

FILLED BY	CHK'D BY	DRIVER
	0 / 1	

October 23, 2008 13:03:37 OT:TMH

****
* INVOICE *
****

SHIP VIA

IMPORTANT: SEE REVERSE SIDE FOR TERMS & CONDITIONS OF SALE. Purchaser agrees to pay all attorneys fees, court costs and interest in the event any charges are incurred by seller in collecting the amounts represented by this invoice, with or without litigation or suit.

employee i. d. required

RECEIVED THE ABOVE IN GOOD CONDITION: X #187

MERCHANDISE	157.63
OTHER	0.00
TAX 7.750%	12.22
FREIGHT	0.00
TOTAL	169.85

Friedman's HOME IMPROVEMENT

4055 SANTA ROSA AVE. • SANTA ROSA, CA 95407 • 707/584-7811
1360 BROADWAY • SONOMA, CA 95476 • 707/939-8811
1255 AIRPORT PARK BLVD. • UKIAH, CA 95482 • 707/468-7811

SOLD TO

CITY OF UKIAH
ATTN: ACCTS PAYABLE
300 SEMINARY AVE
UKIAH, CA 95482

SHIP TO

CITY OF UKIAH
ATTN: ACCTS PAYABLE
300 SEMINARY AVE
UKIAH, CA 95482

3266961 0

Shipment #: 1

ACCOUNT #	CUSTOMER P.O. #	TERMS	ORDER #	ORDER DATE	SLSMN	INVOICE #	INVOICE DATE
5165	038378	Net 10th	32795671	10/23/08	TMH	32669610	10/23/08

ORDERED	BACK ORDERED	SHIPPED	U/M	DESCRIPTION	PRICE	AMOUNT
				THOMAS HAMBLET, PARK/GOLF WORKER ID		
56	0	56	EA	CONCRETE MIX 60# 4310064	2.480	138.88
1	0	1	EA	BASALITE PALLET CHARGE 4311111	18.750	18.75

012.3580.030.000
Proj #8013

Acct #?

"If we don't have it you don't need it"

	FILLED BY	CHK'D BY	DRIVER		
October 23, 2008 12:19:38 CT:TMH		0 / 1		MERCHANDISE	157.63
********** * INVOICE * **********	SHIP VIA			OTHER	0.00
				TAX 7.750%	12.22
				FREIGHT	0.00
				TOTAL	169.85

IMPORTANT: SEE REVERSE SIDE FOR TERMS & CONDITIONS OF SALE. Purchaser agrees to pay all attorneys fees, court costs and interest in the event any charges are incurred by seller in collecting the amounts represented by this invoice, with or without litigation or suit.

employee i. d. required

RECEIVED THE ABOVE IN GOOD CONDITION: X Thomas Hamblet #1817

Hertz

CUSTOMER COPY

ORIGINAL INVOICE

10/07/08

THANK YOU FOR RENTING FROM HERTZ!

CUSTOMER NUMBER: 1559622 RES/QUOTE NUMBER: INVOICE NUMBER: 23880617-001

CITY OF UKIAH
300 SEMINARY AVE
UKIAH, CA 95482-5400

PO NUMBER:	GOLF
JOB NUMBER:	2 - GOLF COURSE GO
ORDERED BY:	TOM
SIGNED BY:	TOM
DELIVERED BY:	CUSTOMER
RENTAL START DATE:	10/07/08 10:00
CLOSED BY:	FAWNELL C. MEDERS
SALES REP:	STEVEN CITTI

SHIPPING ADDRESS:
GOLF COURSE
SEMINARY AVE
UKIAH, CA 95482

HERTZ LOCATION: 744
100 WEST LAKE MENDOCINO D
UKIAH, CA 95482
Ph: 707-463-5844
Fax:707-463-5849

RENTAL HOURS:	4.00
INVOICE FROM DATE:	10/07/08 10:01
INVOICE THRU DATE:	10/07/08 14:00

PAYMENT TERMS ARE NET 10 DAYS

Customer is responsible for FUEL, FLATS, DAMAGE and CLEANUP FEES.

LATE CHARGES MAY APPLY
FOR CUSTOMER SERVICE AND BILLING INQUIRIES CALL 1-800-456-6492

DIRECT PAYMENT TO:
HERTZ EQUIPMENT RENTAL CORPORATION
P.O. BOX 650280
DALLAS, TX 75265-0280

	ORIGINAL	ADJ	TOTAL
RENTAL CHARGES	55.00		55.00
OTHER CHARGES	1.00		1.00
TAXABLE CHARGES	56.00		56.00
TAX	4.35		4.35
TOTAL CHARGES	60.35		60.35

612. 3580. 630.000
PC #8013

NET DUE 60.35

Qty	Equipment #		Hrs/ Min	Hour	Day	Week	4 Week	Amount
1	SAW/WALK BEHIND/MANUAL/10-19HP/GAS 133116039 Make: EDCO Model: DS16A Ser #: 060610094	4/	55.00	13.33	85.00	325.00	645.00	55.00
	ENVIRONMENTAL RECOVERY FEES 6686000001							1.00

DATE	TYPE	AMOUNT
10/07/08	HERTZ CHARGE	60.35

Golf Course asphalt cutting

Mike Higgins 1079

PROJ # 8013

For GREAT DEALS on USED EQUIPMENT - visit us on-line at www.hertzequip.com
Detach and send bottom portion with payment.

CITY OF UKIAH
300 SEMINARY AVE
UKIAH, CA 95482-5400

10/07/08

Customer Number: 1559622
Invoice Number: 23880617-001

PLEASE PAY THIS AMOUNT: 60.35

Tom Hamblett

GRANITE CONSTRUCTION COMPANY SINCE 1922

Ukiah Office
707-467-4100 (2030)

202076

Ukiah, City of
300 Seminary Avenue
Prsh. Ord. 038381 exp. 06/30/09
Ukiah , CA 95482

INVOICE

PLEASE MAIL REMITTANCE TO:
FILE 7436501
PO BOX 60000
SAN FRANCISCO, CA 94160-3523

INVOICE DATE 10/29/08

ORDER NO	CUSTOMER NO	PLANT NO	INVOICE NO
T071202	202076	203831	112509

JOB ADDRESS	DATE OF SALE
GOLF COURSE	10/29/08
	PO#

A LATE PENALTY OF 1.5% WILL BE APPLIED ON PAST DUE BALANCES MONTHLY. PAGE: 1

TICKET NUMBER	MATERIAL DESCRIPTION	QUANTITY	UNIT PRICE	OTHER CHARGES	FEE AMOUNT	EXTENDED AMOUNT	FOB	*
✓ 33739098 10/29/08	19mm AGG BASE CL2 (3/4") (1000)	7.36	20.00	0.00	0.00	147.20	P	18
PRODUCT TOTAL	19mm AGG BASE CL2 (3/4") (1000)	7.36 Ton		0.00	0.00	147.20		

RECEIVED
NOV 0 3 2008
CITY OF UKIAH
FINANCE DEPT.

612.3580.630.000
Proj# 8013

TERMS: NET 30. The prevailing party shall be entitled to reasonable attorneys fees and costs in any action to collect the amounts due hereunder.

TOTAL FREIGHT	$0.00
SUBTOTAL	$147.20
SALES TAX	$11.41
INVOICE TOTAL	$158.61

Attention Accounts Payable!
Have a Wonderful Day!

FOB: P - PLANT J - JOB | * - FOR INTERNAL USE ONLY

Thank you for your business.

WARNING: THIS PRODUCT CONTAINS A CHEMICAL KNOWN TO THE STATE OF CALIFORNIA TO CAUSE CANCER, BIRTH DEFECTS OR OTHER REPRODUCTIVE HARM. MSDS SHEETS AVAILABLE AT WWW.GRANITECONSTRUCTION.COM/MSDS OR BY CONTACTING YOUR LOCAL OFFICE.

GCI REV. 3/07

PURCHASE ORDER

Purchase order numbers must appear on all invoices and packages.

CITY OF UKIAH

SUBMIT DUPLICATE INVOICES
TO: ACCOUNTS PAYABLE
300 SEMINARY AVENUE
UKIAH, CA 95482
ACCTS. PAYABLE (707)463-6230
PURCH. DEPT. (707)463-6233
PURCH. FAX (707) 463-6234

PURCHASE ORDER NUMBER 038650

PAGE 1 OF 1

DATE 10/15/2008

VENDOR: 011863	SHIP TO: 000005
BARUTH/DAVID M. DBA POSITIVE HYDROSEEDING 16027 N SHORE DR HIDDEN VALLEY LAKE CA 95467	CITY OF UKIAH GOLF/PARKS DEPT. 599 PARK BLVD UKIAH CA 95482

DELIVER BY	FOB		
	UKIAH		
TERMS	**TAX**	**CONFIRM TO**	**PHONE**
NET 30		SKIP	(707)987-1946 0000

LINE NO.	QUANTITY	U/M	DESCRIPTION	UNIT PRICE		EXTENSION
01	1.00	LOT	HYDROSEEDING AT THE CITY OF UKIAH'S 612.3580.630.000 MUNICIPAL GOLF COURSE, 599 PARK BLVD, UKIAH, CA. HOLE 15	1,100.00	N	1,100.00
02	0.00	HRS	ADDITIONAL CONSULTING AS REQUESTED 612.3580.630.000 AT AN HOURLY RATE OF $75 PER HOUR. PER FAX TRANSMITTAL DETAILS 9/26/08	75.00	N	.00

REQUISITION DATE	REQUESTED BY	SUBTOTAL	1,100.00
C29657	MILLS,G	TAX	0.00
	DELIVER TO	TOTAL	1,100.00
	COMM SVGC		

RECEIVED AS SPECIFIED

APPROVED FOR PAYMENT _____ DATE 10/17/08

RECORD (Blue)
RECEIVING (Pink)
DEPARTMENT (Gold)
PURCHASING (Green)
FINANCE (Yellow)

Record of Daily Job Costs

Location: GOLF COURSE Date: 10-30-08

Description: PAVE SECTION KART PATH

Employee & Number	Hours	Rate	Cost
HORACIO MELLO	3	27 93	83 79
MARIO DOLALI	3	27 93	83 79
GREGG BLANCETT	4	27 93	111 72
DARIN MALUGANI	3	30 00	90 00
JUSTIN AVERY	3	27 93	83 79
FORREST NARVAEZ	3	27 93	83 79
NICH DALE	4	27 93	111 72

Total Labor: 648 60 B. 75 % USED

Equipment & Number	Hours	Rate	Cost
NEW 10 WHEELER	3	47 32	141 96
NEW SERVICE TRUCK	3	13 54	40 62
OLD SERVICE TRUCK	4	13 54	54 16
TAC - POT	4	1 50	6 00
SIX YARD DUMP	3	35 44	106 32
ROLLER	3	21 18	63 54
ROLLER TRAILER	3	1 10	3 30
SIX YARD DUMP	3	35 44	106 32
PAVER	3	126 16	378 48
PAVER TRAILER	3	1 10	3 30

Total Equipment: 908 88 D. 75 % USED

Material	Quantity	Cost
18 TON 1/2 A/C HOT MIX	94 50	

Total Materials: 1701 00

Total Daily Job Direct Costs: 3253 48

PURCHASE ORDER

Purchase order numbers must appear on all invoices and packages

CITY OF UKIAH

SUBMIT DUPLICATE INVOICES
TO: ACCOUNTS PAYABLE
300 SEMINARY AVENUE
UKIAH, CA 95482
ACCTS. PAYABLE: (707)463-6230
PURCH. DEPT.: (707)463-6233
PURCH. FAX: (707)463-6234

PURCHASE ORDER NUMBER 038713

PAGE 1 OF 1

DATE 11/17/2008

VENDOR: 015979	SHIP TO: 000000
DEPT OF FORESTRY & FIRE PROT DEPARTMENT ACCOUNTING OFFICE PO BOX 944246 SACRAMENTO CA 94244-2460	CITY OF UKIAH 300 SEMINARY AVENUE UKIAH CA 95482

DELIVER BY: FOB:

TERMS	TAX	CONFIRM TO	PHONE
NET 30		MATT	(707)984-4957 0000

LINE NO.	QUANTITY U/M	DESCRIPTION	UNIT PRICE		EXTENSION
01	1.00 LOT	HAND CREWS TO REMOVE BRUSH FROM RIVER 100.6001.250.000 FRONT $224.20/DAY X 9 DAYS = $2017.80	2,017.80	N	2,017.80
02	1.00 LOT	INSTALL RIP RAP IN CREEK 100.6001.250.000 $224.20/DAY X 5 DAYS = $1121.00 *PROJ 8013*	1,121.00	N	1,121.00
03	1.00 LOT	INSTALL RIP RAP ALONG #4 TEE BANK 695.6120.250.000 $224.20/DAY X 1.5 DAYS = 336.30 *PER OCTOBER BILLING	336.30	N	336.30

REQUISITION DATE	REQUESTED BY	SUBTOTAL	3,475.10
MULT	HAMBLET T	TAX	0.00
DELIVER TO			
PARKS		TOTAL	3,475.10

RECEIVED AS SPECIFIED:

Tom Hamblet 11/21/08
APPROVED FOR PAYMENT DATE

- RECORD (Blue)
- RECEIVING (Pink)
- DEPARTMENT (Gold)
- PURCHASING (Green)
- FINANCE (Yellow)

ESTIMATE		Estimator:																	
		Description:	Install 2x36" culverts and 1-12" X 15' culvert. Remove some dirt and rock from creek area. Repair asphalt above culvert peers.																
Project #: 8013																Date Completed:			
Date Started:	10/20/2008	Location:	Back 9 of Golf Course													Total Job Cost:		$1,443.24	
																Total Job Cost: + 20%		$1,731.89	
		Dates of Work							Dates of Work										
		S	M	T	W	T	F	S	S	M	T	W	T	F	S				
Employee	Emp.No.	19	20	21	22	23	24	25	26	27	28	29	30	31	1		Total Hrs	Labor	
Shane Young			7	7	7	7	2.5			7	7						44.5		
Joe Fowler					2.5	2	2			8	6	6	6				32.5		
Jarrod Meyer												3	4	2			9		
Cole Gowen			10	11													21		
Mike Higgins			4								8	5.5					17.5		
Rob Gibson			6	9	3.5	8	7			7							40.5		
Raul Ramos										6.5							6.5		
Kevin Crook												2.5					2.5		
Tom Hamblet, Jr.				2		2											4		
Jim Thompsen				7													7		
Don O'Hara											3						3		
Tom Hamblet, Sr.																			
																	188		
																Total Labor			
City-Owned		S	M	T	W	T	F	S	S	M	T	W	T	F	S				
Equipment	Equip #	19	20	21	22	23	24	25	26	27	28	29	30	31	1		Total Hrs	Cost	
Backhoe	1321		2	2	2	2	1			5	4	3	1			$25.41	22.00	$559.02	
6 Yard 1	2341		2	2												$35.44	4.00	$141.76	
Skidsteer Loader	1400		6.5	7	6	6	5.5			3	4	2	1			$16.38	41.00	$671.58	
3 Yard Dump Truck	2235		2													$35.44	2.00	$70.88	
																Total Hours		$1,443.24	
				Supplies															
Quantity		ID		Description													Unit	Amount	
																Total Materials			

PURCHASE ORDER

Purchase order numbers must appear on all invoices and packages

CITY OF UKIAH

SUBMIT DUPLICATE INVOICES
TO: ACCOUNTS PAYABLE
300 SEMINARY AVENUE
UKIAH, CA 95482
ACCTS. PAYABLE: (707)463-6290
PURCH. DEPT.: (707)463-6293
PURCH. FAX: (707) 463-6284

PURCHASE ORDER NUMBER 038713

PAGE 1 OF 1

DATE 11/17/2008

VENDOR 015979	SHIP TO: 000000
DEPT OF FORESTRY & FIRE PROT DEPARTMENT ACCOUNTING OFFICE PO BOX 944246 SACRAMENTO CA 94244-2460	CITY OF UKIAH 300 SEMINARY AVENUE UKIAH CA 95482

DELIVER BY	FOB

TERMS	TAX	CONFIRM TO	PHONE
NET 30		MATT	(707)964-4957 0000

LINE NO	QUANTITY	U/M	DESCRIPTION	UNIT PRICE		EXTENSION
01	1.00	LOT	HAND CREWS TO REMOVE BRUSH FROM RIVER 100.6001.250.000 FRONT $224.20/DAY X 9 DAYS = $2017.80	2,017.80	N	2,017.80
02	1.00	LOT	INSTALL RIP RAP IN CREEK 100.6001.250.000 $224.20/DAY X 5 DAYS = $1121.00 *PROJ 8013*	1,121.00	N	1,121.00
03	1.00	LOT	INSTALL RIP RAP ALONG #4 TEE BANK 695.6120.250.000 $224.20/DAY X 1.5 DAYS = 336.30 *PER OCTOBER BILLING	336.30	N	336.30

REQUISITION DATE	REQUESTED BY	SUBTOTAL	3,475.10
*MULTI	HAMBLET T	TAX	0.00
	DELIVER TO	TOTAL	3,475.10
	PARKS		

RECEIVED AS SPECIFIED:

Tom Hamblet 11/21/08
APPROVED FOR PAYMENT DATE

RECORD (Blue)
RECEIVING (Pink)
DEPARTMENT (Gold)
PURCHASING (Green)
FINANCE (Yellow)