

ORDINANCE NO. 2823

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING THE TRANSPORTATION DEVELOPMENT IMPACT FEE ORDINANCE, MUNICIPAL CODE SECTION 3.54.040.C.4, TO PERMIT THE COMBINING OF CONSTRUCTION OF A TRANSPORTATION FACILITY PROJECT WITH OTHER DEVELOPMENT-RELATED WORK AND AWARDED ONE CONTRACT FOR THE COMBINED WORK BASED ON A CLEARLY IDENTIFIED PROCESS FOR DETERMINING THE LOW BIDDER

WHEREAS, some of the local developers have requested that they be permitted to combine the work of a Transportation Development Impact Fee (TDIF) project with related subdivision work in order to obtain the best prices on contract work which is inter-related; and

WHEREAS, currently the TDIF ordinance does not permit the combining of work where the contract for the TDIF work may not be awarded to the lowest bidder; and

WHEREAS, in order to allow that objective, an amendment to the TDIF ordinance is required.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CHULA VISTA does hereby ordain as follows:

SECTION I: That the Transportation Development Impact Fee Ordinance, Section 3.54.040.C.4 of the Chula Vista Municipal Code, is hereby amended to read as follows:

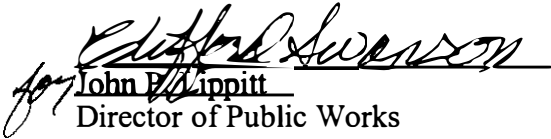
3.54.040 Developer Construction of Transportation Facilities

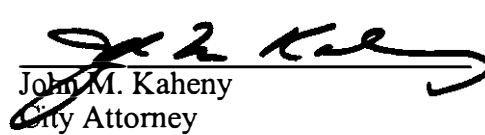
- C. 4. The developer shall secure at least three (3) qualified bids for work to be done and shall award the construction contract to the lowest qualified bidder. The developer may combine the construction of the Transportation Facility Project with other development related work and award one construction contract for the combined work based on a clearly identified process for determining the low bidder, all as approved by the Director of Public Works. Should the construction contract be awarded to a qualified bidder who did not submit the lowest bid for the Transportation Facility project portion of the contract, the developer will only receive TDIF credit based on the lowest bid for the Transportation Facility portion of the contract. Any claims for additional payment for extra work or charges shall be justified, shall be documented to the satisfaction of the Director of Public Works, and shall only be reimbursed at the prices for similar work included in the lowest bid for the Transportation Facility portion of the contract.

SECTION II: This ordinance shall take effect and be in full force on the thirtieth day from and after its second reading and adoption.

Presented by

Approved as to form by

  
John P. Whippitt  
Director of Public Works

  
John M. Kaheny  
City Attorney

PASSED, APPROVED, and ADOPTED by the City Council of the City of Chula Vista, California, this 10<sup>th</sup> day of October, 2000, by the following vote:

AYES:	Councilmembers:	Davis, Moot, Padilla, Salas and Horton
NAYS:	Councilmembers:	None
ABSENT:	Councilmembers:	None

  
Shirley Horton, Mayor

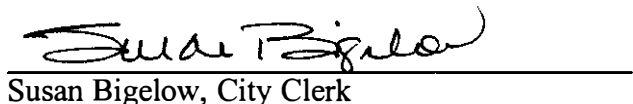
ATTEST:

  
Susan Bigelow, City Clerk

STATE OF CALIFORNIA     )  
COUNTY OF SAN DIEGO    )  
CITY OF CHULA VISTA     )

I, Susan Bigelow, City Clerk of Chula Vista, California, do hereby certify that the foregoing Ordinance No. 2823 had its first reading at a regular meeting held on the 26<sup>th</sup> day of September, 2000 and its second reading and adoption at a regular meeting of said City Council held on the 10<sup>th</sup> day of October, 2000.

Executed this 10<sup>th</sup> day of October, 2000

  
Susan Bigelow, City Clerk