

**RESOLUTION NO. 2705**

**A RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF SOLEDAD ESTABLISHING AN  
IN-LIEU PURCHASE POLICY**

**WHEREAS**, the City Council has determined that in certain instances, it may be to the City's advantage to dispense with its own purchase procedures set forth in Chapter 3.24 of the Soledad Municipal Code and in-lieu of such action, to rely upon the purchase procedures and bid results of another public entity; and

**WHEREAS**, the City Council has determined that a policy of limited reliance on the purchase procedures and bid results of another entity will achieve the same cost saving goals established by local ordinance and state law, as long as the use of such policy is controlled by a formal written policy; and

**WHEREAS**, staff has prepared an "In-Lieu Purchase Policy" for the Council's consideration.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SOLEDAD DOES HEREBY RESOLVE AS FOLLOWS:**

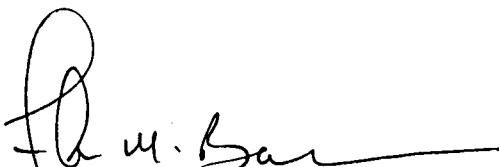
1. "The City of Soledad In-Lieu Purchase Policy," a copy of which is attached hereto as "Exhibit A" and by reference incorporated herein in its entirety, is hereby adopted by the Soledad City Council.

**PASSED AND ADOPTED** by the City Council of the City of Soledad at a regular meeting duly held on the 16th day of September, 1998, by the following vote:

**AYES**, and in favor thereof, Councilmembers: Ben Jimenez, Jr., Fred Ledesma, Richard Ortiz, Mayor Pro Tem Gary Gerbrandt, Mayor Fabian Barrera

**NOES**, Councilmembers: None

**ABSENT**, Councilmembers: None

  
 \_\_\_\_\_  
 MAYOR OF THE CITY OF SOLEDAD

ATTEST:

  
 \_\_\_\_\_  
 CITY CLERK OF THE CITY OF SOLEDAD

## THE CITY OF SOLEDAD IN-LIEU PURCHASE POLICY

The City has determined that in certain circumstances, it may desire to supplement its own purchasing procedures, as established in Chapter 3.24 of the Soledad Municipal Code, with the purchasing procedures and bid results used by another public entity. This policy has been prepared to provide City Staff and the City Council with guidance with respect to the prerequisites for use of another entity's purchasing procedures and bidding results. It is understood by both Staff and the Council that this policy is to be used judiciously, that the adoption of this policy was not intended as a means of circumventing existing state law and/or local ordinance concerning the purchase of supplies or equipment, and that this policy will only be used as long as the overall goal of achieving cost savings is realized by the City.

The following rules must be met in every instance in which the City desires to utilize this in-lieu policy:

1. The City Manager must approve of the use of this policy for a given purchase.
2. The purchasing officer must determine that the bid to be relied upon was made within the preceding twelve (12) months in accordance with applicable law.
3. The purchasing officer must determine that there has been no significant change to the price of the item to be purchased since the time that the relied-upon bid was awarded.
4. If the bid to be relied upon was made by an entity located outside of Monterey County, the purchasing officer must confirm that there is no reason to believe that there would be a significant price difference in the item to be purchased based on the location of available vendors.
5. The City may only purchase the desired supplies or equipment from the vendor identified as the lowest responsible bidder in the relied-upon bid. The purchase officer should also look to the factors set forth in Soledad Municipal Code Section 3.24.060 D for determining the "lowest responsible bidder" prior to recommending a given purchase.

6. This policy may not be used for any purchase for which bidder's security is required by law.
7. Staff must prepare a report to the City Council setting forth compliance with the aforementioned rules and the City Council must approve the proposed purchase at a regular City Council meeting.

MFR:dsp  
J:\WPD\MNRSW\318\01\MEMO\SEP98\PURPOLCY.W61