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WHEREAS, the City of Rialto (“City”) is a municipal corporation, duly organized under the constitution and laws of the State of California; and

WHEREAS, since that time, staff has brought to the City Council recommended updates;

and

WHEREAS, Assembly Bill 2192 went into effect as of January 1, 2025 and provides that cities that have elected to become subject to CUPCCAA may increase their bidding thresholds for public projects to \$75,000 or less to be performed by the employees of a public agency by force account, by negotiated contract, or by purchase order; \$220,000 or less to be let to contract by informal procedures; \$220,000 or more to be let by formal bidding procedures.

WHEREAS, the City Council desires to update the Rialto Municipal Code to reflect the new bidding thresholds provided for in the CUPCCAA.

Section 1. FINDINGS

1 The City Council hereby finds that all of the foregoing recitals and the staff report presented
2 herewith are true and correct and are hereby incorporated and adopted as findings of the City
3 Council as if fully set forth herein.

4 **Section 2. AMENDMENT OF SECTION 2.48.200 TO UPDATE THE BIDDING**
5 **THRESHOLDS FOR PUBLIC WORKS CONTRACTS**

6 Section 2.48.200 of the Rialto Municipal Code shall be repealed and replaced in its entirety
7 with the following language:

8 “2.48.200 - Purchasing process.

9 A. Bidding Thresholds. The process applicable for the procurement of public projects shall
10 be established in accordance with the following bidding thresholds dependent upon the city
11 engineer's estimated cost of the public project:

12 1. As established pursuant to Public Contract Code Section 22032(a), seventy-five
13 thousand dollars (<\$75,000) or less: By force account, negotiated contract, or
14 purchase order.

15 2. As established pursuant to Public Contract Code Section 22032(b), two hundred
16 and twenty thousand dollars (<\$220,000) or less: By informal public project bidding
17 procedures.

18 3. As established pursuant to Public Contract Code Section 22032(c), over two
19 hundred and twenty thousand dollars (>\$220,000): By formal public project bidding
20 procedures.

21 B. Automatic Amendment of Bidding Thresholds. If, as, and when the amounts set forth in
22 Public Contract Code Section 22032 are later amended, this section and the amounts reflected
23 herein shall be deemed to have been amended to reflect such changes, without the need for further
24 action on the part of the city, and such changes reflected in Public Contract Code Section 22032
25 shall be deemed to be incorporated by reference herein.”

26 **Section 3. CEQA**

27 The City Council finds that this ordinance is not subject to the California Environmental
28 Quality Act ("CEQA") pursuant to CEQA Guidelines Sections 15060(c)(3) because this activity is

not a project as defined by Section 15378 of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3 and will not result in changes in the environment.

Section 4. SEVERABILITY

If any section, subsection, subdivision, sentence, clause, phrase or portion of this ordinance is, for any reason, held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, then such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares it would have adopted this Ordinance and each section, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that one or more section, subsection, subdivision, sentence, clause, phrase, or portion thereof be declared invalid or unconstitutional.

Section 5. EFFECTIVE DATE

This ordinance shall take effect thirty (30) days after its date of adoption.

Section 6. CERTIFICATION

The City Clerk shall certify the adoption of this ordinance and publish the ordinance in accordance with Government Code Section 36933.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Rialto this ____ day of _____, 2025.

JOE BACA, Mayor

ATTEST:

BARBARA A. McGEE, City Clerk

APPROVED AS TO FORM:

ERIC S. VAIL, City Attorney

1 STATE OF CALIFORNIA)
2 COUNTY OF SAN BERNARDINO) ss
3 CITY OF RIALTO)

4 I, Barbara McGee, City Clerk of the City of Rialto, do hereby certify that the foregoing
5 Ordinance No. _____ was duly passed and adopted at a regular meeting of the City Council
6 of the City of Rialto held on the _____ day of _____, 2025.

7 Upon motion of Councilmember _____, seconded by Councilmember
8 _____, the foregoing Ordinance No. _____ was duly passed and adopted.

9 Vote on the Motion:

10 AYES:

11 NOES:

12 ABSENT:

13 IN WITNESS WHEREOF, I have hereunto set my hand and the Official Seal of the City of
14 Rialto, this _____ day of _____, 2025.

15
16 _____
Barbara A. McGee, City Clerk
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