

ORDINANCE NO. 1717

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDENA, CALIFORNIA, AMENDING SECTION 2.60.095 OF THE GARDENA MUNICIPAL CODE TO EXPAND THE CITY'S LOCAL SMALL BUSINESS CREDIT PROGRAM

WHEREAS, Public Contracts Code Section 2002 authorizes the City to facilitate contract awards to small businesses by extension of preferences to Small Business Enterprises; and

WHEREAS, by adoption of Ordinance No. 1686, the City Council established a Small Business Credit Program to enhance local participation and to provide Gardena businesses with a competitive edge in bidding on City contracts; and

WHEREAS, the Gardena Business Advisory Council has recommended that the program be expanded to apply to contract awards up to \$250,000 and that the preference program be extended to disabled veteran business enterprises.

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

SECTION 1. Section 2.60.095 of the Gardena Municipal Code is amended to read as follows:

2.60.095. Small business credit

A. In determining the lowest responsible bidder for any city contract that is for two hundred fifty thousand dollars (\$250,000) or less and where responsibility and quality are equal, a credit of five percent (5%) of the bid submitted by the lowest responsible bidder meeting specifications shall be given to a bidder that (i) qualifies as a Small Business as defined in this section, (ii) meets the Small Business subcontracting participation goal established by resolution of the city council, or (iii) is a Disabled Veteran Business Enterprise.

B. At two-year intervals, commencing July 1, 2012, the \$250,000 total cost limit shall be adjusted upward or downward by adoption of a City Resolution to reflect the percentage change in the Consumer Price Index (CPI) for All Urban Consumers in the Los Angeles-Riverside-Orange County Area over the previous two years. The amount shall be rounded off to the nearest one thousand dollar (\$1,000) figure.

C. No credit shall be given pursuant to this section where legal constraints on the expenditure of funds prohibit the giving of such a credit.

D. As used in this section, "Small Business" means a business entity that has, for at least the twelve (12) months prior to submittal of its bid: (i) held a current business license issued by the city; and (ii) maintained its principal business office within the city's geographic boundaries, and that either employs fewer than one hundred (100) employees or has average annual gross receipts of ten million dollars (\$10,000,000) or less over the previous three (3) years.