

RESOLUTION NO. 2020-XXXX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS ADOPTING THE 2015 STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION ("2015 GREENBOOK") AND THE CITY OF SAN MARCOS SUPPLEMENT TO THE 2015 STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION ("STANDARD SPECIAL PROVISIONS") AND AUTHORIZING THE CITY ENGINEER TO PROMULGATE AMENDMENTS THERETO ON BEHALF OF THE CITY

WHEREAS, the City of San Marcos ("City") and private developers construct public infrastructure in San Marcos, necessitating the adoption of specifications for such construction; and

WHEREAS, the City desires uniform specifications to promote the construction of orderly, consistent and high-quality infrastructure throughout San Marcos; and

WHEREAS, as set forth in California Constitution Article XI, section 5(b), the City, as a charter city, has supreme authority over municipal affairs; and

WHEREAS, pursuant to its authority over municipal affairs and as set forth in Article II, Section 200 of the Charter of the City of San Marcos, the City has the power to establish standards, procedures, rules and regulations regarding all aspects of bidding, award and performance of any public works contract; and

WHEREAS, pursuant to its authority over public works contracts, the City has the authority to deviate from the California Public Contract Code as it deems necessary and appropriate; and

WHEREAS, in 2015, the Standard Specifications for Public Works Construction ("Greenbook"), which is commonly used and accepted by other jurisdictions in San Diego County and Southern California, was revised to reflect changes in technologies, specifications, and performance tests for the construction industry; and

WHEREAS, City Staff has prepared the Standard Special Provisions, the City of San Marcos Supplement to the 2015 Standard Specifications for Public Works Construction ("Standard Special Provisions"), which modifies the 2015 Greenbook to provide uniform specifications that address the unique needs of the City; and

WHEREAS, from time to time, the City Engineer will deem it necessary to make minor modifications or additions to said Standard Special Provisions; and

WHEREAS, to implement the Standard Special Provisions, the City Engineer and/or the City Manager, in consultation with the City Engineer, will deem it necessary to make determinations and issue approvals for matters that are not processed for approval by the City Council.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of San Marcos as follows:

1. The foregoing recitals are true and correct and are incorporated herein as though set forth in full at this point.
2. The Standard Special Provisions, the City of San Marcos Supplement to the 2015 Standard Specifications for Public Works Construction ("Standard Special Provisions"), and the 2015 Standard Specifications for Public Works Construction ("2015 Greenbook"), as modified by the Standard Special Provisions, are hereby adopted by the City of San Marcos and are hereby applicable to all public works construction undertaken after the effective date of this resolution.
3. Provisions of the California Public Contract Code are hereby incorporated into the Standard Special Provisions only as specified and/or as required by the funding source for the project in question.
4. The City Engineer is hereby authorized to promulgate on behalf of the City minor modifications and additions to the Standard Special Provisions. Such modifications and/or additions shall supersede or supplement the applicable provisions of the 2015 Greenbook. This authority does not extend to the adoption of a Greenbook that post-dates 2015 and/or a completely updated version of the Standard Special Provisions based thereon.
5. The City Engineer and/or the City Manager in consultation with the City Engineer, are hereby delegated and authorized to implement the Standard Special Provisions, including the authority to make determinations concerning matters that would not otherwise be processed for approval by the City Council. These determinations include, but are not limited to, change orders that are within the scope of authority of the City Manager or his or her designee under the provisions of Chapter 2.30 of the San Marcos Municipal Code, and the scope of authority granted by the City Council in connection with its approval of a public works project.

PASSED, APPROVED AND ADOPTED by the City Council of the City of San Marcos at a regular meeting held on the 14th day of July, 2020, by the following roll call vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

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Rebecca D. Jones, Mayor  
City of San Marcos

ATTEST:

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Phillip Scollick, City Clerk  
City of San Marcos