



MINUTES

Fiscal Policy Task Force
Special Meeting
Mountain View Conference Room
300 West Third Street, Fourth Floor
Oxnard, CA 93030

May 18, 2012
10 a.m.

A. Roll Call

Chairperson Bryan MacDonald called the meeting to order at 10:02 a.m. Chairperson MacDonald and Vice-Chairperson Carmen Ramirez were present. In addition, the following staff members were present: Karen Burnham, Grace Magistrale Hoffman, Danielle Navas, Christina Aerenlund, Jim Cameron, Bruce Dandy, Martin Erickson, Pat Friend, Michael Henderson, Alan Holmberg, Matthew Winegar, and Tamara Reese. Members of the public present were: Steve Nash, Bert Perello, Mary Anne Rooney, Gus Sanchez, and James Torrez.

B. Public Comments

Comments were made by Mr. Perello.

C. Review and Approval of Minutes from April 30, 2012

A motion was made by Vice Chairperson Ramirez and seconded by Chairperson MacDonald that the minutes be approved as presented. A sign-in sheet was circulated among the group.

D. Task Force Business

• Purchasing/Contracting Issues

Mr. Cameron shared a handout on purchasing and contracting policies and procedures. He noted Ms. Friend works with construction contracts and Mr. Dandy works with contracts dealing with professional and trade services and purchasing.

The City adheres to regulations under the State of California Uniform Construction Cost Accounting Act. The Contract Compliance Review Committee provides further oversight on contracts and change orders, performing a forensic review of the documents. Discussion followed on how the bid process works.

Mr. Henderson noted that the plans and specs process offers oversight in that every aspect of a project should be listed and addressed properly in the bid documents. He stated some projects, such as street repairs, may have unanticipated costs associated with them, such as what is found when streets are opened up, etc.

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Every project is reviewed and construction costs are estimated. This information is not shared with vendors. Bids for a specific project can be rejected as a whole but cannot be rejected in part. Each project is reviewed by various City departments, including: the City Manager's Office, the City Attorney's Office, and Finance, which includes: Grants, Budget, and Risk Management - to ensure the contractor has the proper bonds, licenses, and insurance.

The bid opening process is noticed in a variety of areas, including the City's plans and spec rooms, the newspaper(s), and the City's website. The opening of bids takes place in Council Chambers. The City Clerk's Office opens each package to check for necessary bid bonds. Ms. Friend then reviews the packages and records pertinent information.

Discussion followed on debarring contractors who have failed to meet minimum performance requirements, have cost overruns, and/or commit fraudulent practices. Currently, there is not a formal mechanism within the City that bars contractors from bidding based on past history.

Mr. Henderson noted contractors can be held liable for liquidated damages in the amount of \$3,000 per day when a project goes over the date of final completion. Mr. Winegar stated there has not been a big problem with change order abuse on projects.

Contractors can withdraw their bids on specific projects if they discover they have made significant errors in their cost calculations. The process for bid protests was discussed. Any projects involving federal grant monies must be advertised in the Ventura County Star in addition to any other newspapers used due to the size of the Ventura County Star circulation.

- Purchasing Ethics/Conflict of Interest

Mr. Cameron distributed a handout addressing purchasing documents related to ethics and conflict of interest. The City of San Jose's policies were discussed as they compare to the City of Oxnard. Vice Chairperson Ramirez suggested strengthening existing City policies dealing with the purchasing process.

E. Discussion of Future Agenda Items

- How approval of the State budget might affect the City
- Overtime expenses

F. Adjournment

The meeting was adjourned at 11:12 a.m.