



MICHAEL N. FEUER
CITY ATTORNEY

REPORT NO. R 21-0368
DEC 03 2021

REPORT RE:

**BALLOT RESOLUTIONS REGARDING A PROPOSED CHARTER
AMENDMENT TO AUTHORIZE THE CITY, ON A COMPETITIVE BID CONTRACT,
TO AWARD A BID PREFERENCE TO A BIDDER LOCATED IN THE CITY
OF LOS ANGELES, AND ORDINANCE CALLING A SPECIAL ELECTION
FOR THE MEASURE ON JUNE 7, 2022**

The Honorable City Council
of the City of Los Angeles
Room 395, City Hall
200 North Spring Street
Los Angeles, California 90012

Council File No. 21-0760

Honorable Members:

On September 28, 2001, the City Council requested this Office to prepare the documents necessary for a proposed Charter amendment to authorize the City, on a competitive bid City contract, to award a bid preference to a bidder located in the City of Los Angeles. This Office hereby transmits, approved as to form and legality, the ballot resolutions and election ordinance necessary to place the proposed Charter amendment on the ballot at the City's June 7, 2022, Primary Nominating Election.

Background and Summary of the Proposed Measure

City Charter Section 371 provides that competitive bid City contracts shall be awarded to the lowest responsive and responsible bidder. Section 371(a) allows the City to provide a bid preference, but limits the award of a bid preference to a bidder located in California or Los Angeles County. The Charter currently does not provide for the City to award a bid preference or limit a bid preference to a bidder located in the City of Los Angeles.

The proposed Charter amendment, if approved by the voters, would amend Section 371(a) of the City Charter to allow a bidder located in the City of Los Angeles to receive a bid preference on a competitive bid City contract. The Charter amendment would not change or affect any other provisions or procedures contained in Section 371(a).

Election Deadline

City Election Code Section 601 requires that final resolutions to place a measure on the ballot be adopted no less than 110 days before the election. For the City's June 7, 2022, election, that legal deadline falls on an anticipated Council recess date. Accordingly, the City Clerk's election calendar provides that the deadline for Council to adopt these resolutions is February 16, 2022, preceding the anticipated Council recess.

If you have any questions regarding this matter, please contact Deputy City Attorney Jaime Suarez at (213) 978-1931 or Deputy City Attorney Harit Trivedi at (213) 978-7100. They or another member of his Office will be available when you consider this matter to answer questions you may have.

Sincerely,

MICHAEL N. FEUER, City Attorney

By 
DAVID MICHAELSON
Chief Assistant City Attorney

DM:JS:cl
Transmittals