

**Attachment E**  
**Municipal Code**  
**§2.28.040**

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## **2.28.040 Evaluation of best value bidder.**

- (a) For purposes of evaluating whether a bidder is the "best value bidder" pursuant to this chapter, the city council or the city manager, as applicable, shall take into consideration all of the following factors which are applicable to any bid:
  - (1) Price;
  - (2) The bidder's ability, capacity and skills to provide the goods and/or services in accordance with bid specifications;
  - (3) The bidder's ability to provide the goods and/or services promptly, or within the time specified, without delay or interference;
  - (4) The bidder's equipment, facilities, location and resource capacity to provide the goods and/or services;
  - (5) The bidder's ability to provide future maintenance, repair, parts and service for the use of the goods purchased or facility constructed, if appropriate;
  - (6) The bidder's favorable record of performance under prior contracts with the city (if any) and other purchasers where such bidder has previously been awarded such contracts;
  - (7) The bidder's favorable record of compliance with laws, regulations, guidelines and orders governing prior or existing contracts performed by the bidder, if applicable;
  - (8) The bidder's experience, integrity, judgment, reputation and financial resources enabling it to perform the work according to the specifications and terms of the solicitation and the city's contractual requirements;
  - (9) The bidder's demonstration of the quality and performance of the supplies to be purchased or services to be provided;
  - (10) The number and scope of any conditions/limitations attached to the bidder's bid; and
  - (11) Any other relevant factor(s) which demonstrate the value of the bid and furthers best interests of the city in procuring the supplies or services sought.
- (b) The city council or city manager, as applicable, shall have absolute discretion in determining the applicability and relative weight of any or all of the factors set forth in this section and are not required to award a contract to the lowest monetary bidder.

(Ord. No. 2381 , § 2, 9-18-18)