



**PIMA COUNTY  
PROCUREMENT DEPARTMENT  
DESIGN AND CONSTRUCTION DIVISION**

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November 4, 2009

ADDENDUM NO. 1

**SOLICITATION NO. 1000300:** Property Maintenance Services for the Real Property Division of Pima County Public Works

TO ALL PROSPECTIVE BIDDERS:

Prospective bidders and interested parties are hereby directed to make the following changes to the solicitation for the above referenced project. This Addendum shall be incorporated and made part of the Bid Documents as though included therein.

Paragraph 6 of the Invitation to Bid is hereby revised to read:

"Note that these services are subject to Pima County's Living Wage ordinance. As of January 1, 2009 the wage requirement is a minimum of \$10.73 per hour, or \$9.54 per hour if the contractor provides health benefits with a monthly value at least as high as the difference between a monthly wage based on \$10.73 per hour and the requested monthly wage of no less than \$9.54 per hour. Details on the Living Wage Ordinance are attached to this Addendum No. 1."

Paragraph 3 of the Instructions to Bidders is hereby revised to read:

**"3. BID SUBMISSION:** All bids must be submitted on the Bid Proposal for Construction forms included with these Bid Documents. Provide the price for each item of work in the requested manner in clearly documented figures (typewritten is preferred). A duly authorized representative of the bidding firm must sign the Bid Proposal. All figures and signatures must be in ink. Changes or corrections must be in ink and initialed in ink by the individual preparing the bid.

It is not necessary to return the entire document. It is only necessary, and preferred, for respondents to complete, execute and return the following bid documents at time of bid opening: Bid Proposal, Contractor Information Page, Certification of Living Wage Payments, Bid Schedule (3 pages), and Subcontractors List.

Submit the required pages in a sealed envelope clearly marked with the bidder's name and the name of the project.

All other terms remain unchanged. Please direct any questions to Terri Spencer at [terri.spencer@pima.gov](mailto:terri.spencer@pima.gov) or via fax at 520.243.4434.

This addendum is a total of 4 pages.

/s/ Terri Spencer

Terri Spencer, C.P.M.  
Commodity/Contracts Officer

# **Title 11 Pima County Procurement Code**

## **CHAPTER 11.38 PIMA COUNTY LIVING WAGE**

### **11.38.010**

#### **Conditions for use.**

Employees of contractors entering into eligible contracts with Pima County for covered services shall be paid a living wage by said contractors for the hours expended providing services to the county as provided in this chapter. (Ord. 2002-1 § 1 (part), 2002)

### **11.38.020**

#### **Eligible contract.**

An eligible contract shall be a contract awarded by the board of supervisors for covered services except for the following:

- A. Contracts under which federal or state regulations preclude the applicability of a living wage;
- B. Contracts involving programs where the county shares management authority with other jurisdictions, and intergovernmental and cooperative agreements;
- C. Contracts impacted by bond covenants, grant restrictions, governmental regulations; and
- D. Contracts for job training and youth or summer employment programs. (Ord. 2002-1 § 1 (part), 2002)

### **11.38.030**

#### **Covered services**

Covered services are:

- A. Facility and building maintenance
- B. Refuse collection and recycling
- C. Temporary employee services
- D. Janitorial and custodial
- E. Landscape maintenance and weed control
- F. Pest control
- G. Security
- H. Moving services (Ord. 2002-1 § 1 (part), 2002)

### **11.38.040**

#### **Eligible employee**

Any person employed by a contractor holding an eligible contract with the county who:

- A. Is not a person who provides volunteer services that are uncompensated except for reimbursement of expenses such as meals, parking or transportation.
- B. Expends chargeable time providing services to the county and on county property; and
- C. Is at least sixteen (16) years of age. (Ord. 2002-1 § 1 (part), 2002)

#### **11.38.050**

##### **Wages.**

- A. Eligible employees shall receive a wage of not less than nine dollars (\$9.00) per hour.
- B. This rate shall be automatically adjusted each successive year based upon Consumer Price Index, Western Region.
- C. If the contract is subject to a prevailing wage requirement or union agreement, the higher wage shall apply.
- D. A contractor may request that it be allowed to pay its eligible employees a wage of no less than eight dollars (\$8.00) per hour if the contractor provides health benefits with a monthly value at least as high as the difference between a monthly wage based on nine dollars (\$9.00) per hour and the requested monthly wage of no less than eight dollars (\$8.00) per hour. Proof of said benefits shall be provided at the time of bid or proposal submission, or, as the county may require, in accordance with notification by the county of its intent to award a contract. (Ord. 2002-1 § 1 (part), 2002)

#### **11.38.060**

##### **Compliance.**

The county procurement director shall monitor compliance, including the investigation of claimed violations, and promulgate administrative rules and regulations to implement and enforce this article. In the event of any violation of the provisions set forth in this chapter, the contractor and any subcontractor responsible therefor shall be liable for the unpaid wages and shall pay the eligible employee any amounts underpaid. The provisions in eligible contracts may allow any one or more of the following remedies in the event of a written determination of a noncompliance:

- A. A penalty imposed by the county in the amount of \$50.00 for each incidence of a noncompliance for each day of noncompliance and/or each day it continues.
- B. Suspension of further payments on the contract until the violation has ceased.
- C. Suspension and/or termination of the contract for cause.
- D. Debar or suspend the contractor or subcontractor from future county contracts pursuant to Chapter 11.28.

Protests or appeals of the remedies for noncompliance shall be handled under Chapter 11.20. (Ord. 2002-1 § 1 (part), 2002)

### **11.38.070**

#### **Records.**

A. The contractor or subcontractor shall make its records available for inspection, copying, or transcription by authorized representatives of the county procurement department, and shall permit such representatives to interview employees during working hours on the job. If the contractor or subcontractor fails to submit the required records or make them available, the county procurement director may, after written notice to the contractor, take such action as may be necessary to cause the suspension of any further payment, advance, or guarantee of funds. Furthermore, failure to submit the required records upon request or to make such records available may be grounds for debarment action pursuant to Chapter 11.28.

B. Payrolls and basic records relating thereto shall be maintained by the contractor during the course of the work and preserved for a period for three years thereafter for all eligible employees. Such records shall contain the name, address, and social security number of each eligible employee, his or her correct classification, hourly rates of wages paid, daily and weekly number of hours worked, deductions made, and actual wages paid.

C. The contractor shall submit a payroll record for all eligible employees to the procurement director within seven days from the end of the payroll period. The payrolls submitted shall set out accurately and completely all the information required to be maintained under subparagraph (b) of this section. (Ord. 2002-1 § 1 (part), 2002)

### **11.38.080**

#### **Reporting.**

On or about December 1, 2002, and every year thereafter, the county procurement director shall file an annual report on compliance with the county administrator and the board of supervisors. (Ord. 2002-1 § 1 (part), 2002)