



SLOUGHHOUSE

Resource Conservation District

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Procurement Policy

PUBLIC CONTRACT BIDDING, VENDOR AND PROFESSIONAL/CONSULTANT SERVICES SELECTION, AND ENVIRONMENTALLY PREFERABLE PURCHASING PROCEDURES

The purpose of this policy is to affirm the Sloughouse Resource Conservation District (SRCD or the District) Directors' and Staff's authority and procedural requirements for procuring goods and services. The District shall continue to comply with the requirements of the Public Resources Code division 9, chapter 3, article 9, sections 9401-9420 which sets forth the general powers of the Resource Conservation Districts, including the power of contract.

1. **Purchasing Authority and Bidding:** There are three levels of purchasing authority for goods and services. If the estimated amount of the work is \$2,500 or less and is aligned with the adopted SRCD Budget, the District Manager is authorized to approve the purchase. If greater than \$2,500 but less than \$10,000, the SRCD Board is authorized to approve the purchase. For goods or services with an estimated cost of more than \$10,000, before approving a purchase a minimum of two, preferably three, bids or quotes will be sought. The basis for selection of the contractor shall include but not be limited to suitability of services or product to meet district's needs and preferences, budgetary considerations, and consultant's qualifications and experience. Legal recommendations from Counsel may also be considered.
2. **Environmentally Preferable Purchasing Procedures:** SRCD is dedicated to minimizing our negative impacts on the climate and natural resources. To do so, the District may take into account the following information if available when identifying, soliciting, and evaluating products or services procured with funds administered by SRCD:
 - a. Prioritize waste reduction and cost efficiency opportunities by identifying alternative options to the purchase of new products.
 - b. Integrate environmental factors from products' entire lifecycle into the SRCD's buying decisions including, but not limited to:
 - Conserve water and natural resources and minimize the use of electricity and fuel.
 - Reduce waste in the manufacturing, use, and packaging of products.
 - Extend the lifecycle of the product.
 - Evaluate the environmental performance of vendors in products and services.
 - Consider factors that provide other environmental and health

benefits.

- c. Utilize eco-labels established by independent and widely recognized authorities, or standards/specifications developed by other governmental or non-governmental organizations, that are determined to be meaningful and effective by SRCD.
- d. Consider distance traveled when scoring bids from subcontractors to factor in greenhouse gas emissions for project completion. Minimizing travel reduces greenhouse gas emissions thus minimizing project-related climate impacts.

SRCD shall seek to maintain environmentally preferable purchasing standards and specifications that promote continuous improvement of environmental performance and cost competitiveness in the marketplace.

3. **Emergency Procurements:** In an emergency, defined as a situation where there is an immediate threat to life or property or where there is, or could be, a disruption of a vital public service; an emergency procurement may be approved verbally by the Chairman of the Board of Directors, after communicating with available directors; which emergency communication is believed to be authorized by the Brown Act. When an emergency purchase is made, the purchase order for the transaction shall be prepared and approved as soon as possible. For emergency procurement exceeding \$2,500, a full accounting of such emergency expenditures by Staff will be reported to the Board at the next regular board meeting. Any purchase orders shall include documentation certifying the emergency.
4. **Existing Contracts:** All existing contracts currently in place at the time of adoption of this policy, or any renewal of those contracts for similar term are not required to meet the requirements set forth in this policy.
5. **Conflict of Interest:** District employees with a fiscal relationship with a person or business entity seeking a contract with the District shall not participate in the selection process for that contract. (Cal. Gov. Code § 4527 (b))
6. **Sole Source Contracts:** In the event that a necessary service will cost over \$10,000 and only one consultant or consultancy has the unique experience or expertise to provide that service, the District may consider a sole source contract without requiring a minimum of two bids for the necessary service.¹ Such a contract must be approved by the Board in a one-time resolution that details justification for the sole-source decision for that contract only.

¹ Public entities such as the District need not comply with competitive bidding processes where to do so would be impractical or futile and would not serve the purposes of competitive bidding. (*Los Angeles Dredging Company v. City of Long Beach* (1930) 210 Cal. 348; *Graydon v. Pasadena Redevelopment Agency* (1980) 104 Cal.App.3d 63.

Policy adopted by the Board of Directors of the Sloughhouse Resource Conservation District on September 14, 2022 by the following vote:

Ayes: Garms, Schneider, Washburn, Silva, Carter

Noes:

Abstain:

Absent:

I, the undersigned, hereby certify that I am the duly appointed and acting Secretary of the Sloughhouse Resources Conservation District, and that at a meeting of the Board of Directors of the District held on September 14, 2022 that the policy formally known as the Consultant Selection Policy was amended to be the Procurement Policy and has not been rescinded or amended since the date of its adaptation and that it is now in full force and effect.



SRCD Secretary, Austin Miller

9-14-22

Date