

AVILA BEACH COMMUNITY SERVICES DISTRICT

Resolution No. 2014-16

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE AVILA BEACH COMMUNITY SERVICES DISTRICT AMENDING DISTRICT POLICY 3041; PURCHASING

WHEREAS, from time to time a review of policies is undertaken by the Board of Directors; and

WHEREAS, the Board has requested a review of District Policy 3041 Purchasing; and

WHEREAS, the Board of Directors desires to amend the policy to modify the levels of expenditures for purchase of District supplies and equipment;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors, as follows: That Policy 3041 Purchasing be amended as detailed in the attached documents.

ON MOTION of Director Rowe, seconded by Director Waldron, and on the following roll call vote to wit:

AYES: Rowe, Waldron, Kelley, Janowicz, Richards

NOES: None

ABSENT: None

The foregoing resolution is hereby adopted this 9th day of September, 2014.



Peter Kelley, President

ATTEST:



SECRETARY TO BOARD

Avila Beach Community Services District



POLICY TITLE: Purchasing
POLICY NUMBER: 3041

Application:

A. The following policies are established for the purchase of supplies and equipment, as referenced in Government Code &54202.

B. The procedures established herein shall not apply to the construction of any unit of work, as referenced in Public Contract Code &20680 et seq. the payment of contracted services or other payments that are authorized by stature or policies of the Board of Directors, such as personnel policies or the hiring of consultants.

3041.1 To purchase small items - such as office supplies, auto parts, and other miscellaneous items costing less than \$500 purchases will be made with vendors who have established charge accounts in the District's name.

3041.2 To purchase items costing \$501- \$5,000, quotations will be solicited from vendors and received by telephone, fax or mail prior to processing a purchase order. The General Manager must approve purchase orders.

3041.3 To purchase items \$5,001- \$ 9,999, a minimum of three quotations will be required. If it is a budgeted item it may be approved by the General Manager, if it is an unbudgeted purchase, Board approval will be required.

3041.4 To purchase items over \$10,000 a minimum of three quotations will be required. Board approval must be received.

3041.5 The General Manager may determine the existence of an emergency and thereon issue warrants up to twenty-five thousand dollars (\$25,000) with counter the signature of a member of the Board of Directors. Said emergency shall be described in a written memorandum presented to the Board of Directors at the next regularly scheduled meeting of the Board of Directors.

3041.6 Purchases of items equal or greater than twenty five thousand dollars (\$25,000) shall be by written contract with a vendor, who, in response to a notice inviting proposals, submits a proposal that most closely meets the Districts specifications with a consideration of price and delivery dates.

3041.6.1 Notice of Inviting Proposals shall include the following:

1. A statement of specifications of equipment and/or supplies to be purchased;
2. The location and deadline for submission of proposals;
3. The location where the specifications and proposal forms, if required, may be secured;
4. The date, time and place assigned for the opening of sealed proposals;
5. The type and character of proposal security required, if any;
6. A statement that the District intends to award the Contract to the vendor who submits a proposal that most closely meets the District specifications with the consideration of price and delivery dates.
7. That the District reserves the right to reject all proposals; and
8. Notice that no vendor can withdraw its proposal for a period of 60 days from the date of opening proposals.

3041.6.2 The Notice of Inviting Proposals shall be distributed by the Purchasing Agent in a manner to reasonably assure that the proposed purchase is made to the lowest responsive and responsible vendor.

3041.7 Alternative Procedure. As an alternative to the procedures described in Section 3041.6, above the Board of Directors may approve the purchase of supplies and equipment and/or supplies upon the Board of Directors approving the purchase by Resolution making the following findings:

1. The other agency's procedures for the purchase were substantially similar to the District's procedures as stated in Section 3041.6 above.
2. The equipment and/or supplies to be purchased by District is substantially similar to the supplies and equipment purchased by the other agency, so that the submitted proposals would be responsive to the District's specifications.
3. The negotiations regarding the purchase are minor and the proposed purchase is consistent with the policy of awarding the contract to the most responsive vendor with the consideration of price and delivery date.

3041.8 Non-Competitive Negotiations : This approach involves procurement of supplies and equipment through solicitation of a proposal from only one source. Such negotiations may be used in limited situations when the award of a contract is not feasible under the other methods and when said purchase is approved by resolution of the Board of Directors upon the following findings: (1) the purchase price is reasonable, and (2) one or more of the following exists:

- A. The product is the only one that will properly meet the needs of the District because:
 1. The item is unique and is available only from a sole source; or
 2. The item is unique and is designed to match others used in or furnished to a particular installation, program, facility or location.
- B. Public exigency or emergency will not permit delay.
- C. The Federal Grantor authorized non-competitive negotiations.

3041.9 Alternatives:

- A. The District may request the State Department of General Services to make purchases of materials, equipment, or supplies on its behalf pursuant to Section 10298 of the Public Contract Code.

B. The District may request the purchasing agent of the principal county to make purchases of materials, equipment, or supplies on its behalf pursuant to Article 7 (commencing with Section 25500) of Chapter 5 of Division 2 of Title 3.

C. The District may request the purchasing agent of the principal county to contract with persons to provide projects, services, and programs authorized by this division pursuant to Article 7 (commencing with Section 25500) of Chapter 5 of Division 2 of Title 3.

3041.10 Consistency with State and Federal Laws:

In the event these policies and procedures are inconsistent with State or Federal law, then said State or Federal law shall control.