

RESOLUTION NO. 995

**AMENDING POLICIES AND PROCEDURES FOR THE AWARD
OF CONTRACTS AND THE DELEGATION OF AUTHORITY TO
GENERAL MANAGER**

NORTH COAST COUNTY WATER DISTRICT

WHEREAS, by Resolution No. 763, and amended by Resolution Nos. 827, 920 and 951, the Board of Directors adopted policies and procedures, including bidding requirements, for the purchase of equipment and supplies, as required by Section 54202 of the Government Code; and

WHEREAS, as authorized by Section 30579.5 of the Water Code, Resolution Nos. 763, 827, and 920 and 951 delegated to the General Manager authority to enter into contracts on behalf of the District and established spending limits on the General Manager's authority to do so; and

WHEREAS, by Resolution No. 920, the Board of Directors increased the spending limits and added Section D establishing guidelines for the procurement of vehicles; and

WHEREAS, by Resolution No. 948, the Board of Directors granted to the General Manager the authority to act on claims against the District for damages and personal injury up to and including \$5,000; and

WHEREAS, by Resolution No. 951, the Board of Directors WHEREAS, the Board desires to amended the policy regarding General Manager emergency expenditures; and.

WHEREAS, the Board of Directors desires to increase the spending limits in order to reflect the impact of inflation and the aggressive Capital Improvement Program established since Resolution No. 951 was adopted.

NOW, THEREFORE, the Board of Directors of the North Coast County Water District hereby amends Resolution No. 951948 to read as follows:

**I. POLICIES AND PROCEDURES FOR CONTRACTS, EQUIPMENT
PURCHASES AND BIDDING**

A. Service Contracts

- (1) Advertisement and competitive bidding is not required.
- (2) The General Manager is authorized to employ professional consultants and other service providers where the cost of work does not exceed \$25,000. Contracts in excess of \$25,000 must be submitted to and approved by the Board of Directors.

B. Construction Contracts

- (1) Where the estimated cost of the work is below \$30,000, the General Manager may award the contract. Contracts for work where the estimated cost is \$30,000 or more must be submitted to and approved by the Board of Directors.
- (2) Where the estimated cost of the work is between \$30,000 and \$75,000 the General Manager should obtain multiple informal bids and submit them to the Board of Directors but need not formally advertise for the solicitation of bids.
- (3) Where the estimated cost of the work exceeds \$75,000, the General Manager shall solicit bids through advertisement in a newspaper of general circulation in San Mateo County.
- (4) The foregoing policies are not intended to preclude the General Manager from utilizing District employees to carry out work on a force account basis.

C. Procurement of Equipment and Supplies

- (1) Where the estimated cost of materials or supplies is below \$30,000, the General Manager may award the contract. Contracts for materials or supplies in excess of \$30,000 must be submitted to and approved by the Board of Directors.
- (2) Where the estimated cost of materials or supplies is between \$30,000 and \$75,000, the General Manager shall obtain multiple informal bids and submit them to the Board of Directors but need not formally advertise for the solicitation of bids.
- (3) Where the estimated cost of materials and supplies exceeds \$75,000, the General Manager shall solicit bids through advertisement in a newspaper of general solicitation in San Mateo County.

D. Procurement of Vehicles

- (1) Where the estimated cost of vehicles is \$30,000 or below, the General Manager shall obtain informal bids and submit them to the Board of Directors, but need not formally advertise for the solicitation of bids.
- (2) Where the estimated cost of vehicles exceeds \$30,000, the General Manager shall solicit bids through advertisement in a newspaper of general circulation in San Mateo County.

E. Reporting

All contracts entered into by the General Manager under Section A (2), B (1) and C (1) of this Resolution shall be reported to the Board at its next meeting.

II. EMERGENCY EXPENDITURES

In cases of emergency, the General Manager may contract for construction work, services, or the purchase of materials without competitive bidding or prior Board approval. If possible, the General Manager will attempt to seek the concurrence of the Board President prior to awarding any emergency contract. If the Board President is unavailable, the General Manager will attempt to seek the concurrence of the Board Vice-

President, or if the Vice-President is unavailable, any member of the Board of Directors. For purposes of this paragraph, "emergency" is defined as those circumstances requiring immediate work, services, equipment, materials, supplies, or construction to prevent the immediate interruption or cessation of necessary District services or to safeguard life, property or the public health and welfare. The General Manager must report on the award of any such contract for emergency work, services, or materials at the next meeting of the Board of Directors.

III. CLAIMS FOR DAMAGES AND PERSONAL INJURY

The General Manager may act on and settle claims against the District for damages and personal injury that do not exceed \$5,000. The General Manager will notify all directors in writing of the claim and that the General Manager intends to settle the claim prior to taking any action on it. The General Manager must provide a report to the Board of all claims acted on by the General Manager pursuant to this resolution at the next regularly scheduled Board of Directors meeting after the claim is settled.

IV. BROWN ACT

All actions taken pursuant to this resolution must be in full compliance with the Ralph M. Brown Act (Government Code Sections 54950, et. seq.)

V. WAIVER

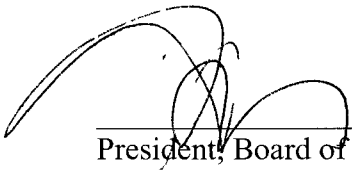
The requirements of this Resolution may be waived by the Board of Directors in cases in which the Board finds that the public interest is better served by an alternative means of procurement.

PASSED AND ADOPTED this 20th day of September, 2006 by the following vote:

AYES: Directors Cosgrove, DeJarnatt, Piccolotti and Vetter


NOES: None

ABSENT: Director Brown



President, Board of Directors

ATTEST:



Secretary of the Board