



# Santa Margarita Groundwater Agency

## POLICY

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<b>Policy No.:</b> P2	<b>Policy Title:</b> Procurement
<b>Effective Date:</b> 10/25/18	<b>Resolution No:</b> 2018-04
<b>Policy Description:</b> Establishes Guidelines for Procuring Services and Supplies	

### POLICY

#### 1.10. Procurement of Services and Supplies

- (a) Professional and consulting services (“Services”) are of a technical and professional nature, and, due to the nature of the services to be provided, do not fall within the “low bid” competitive bidding process.
- (b) Except as provided in subparagraph (c) below, when selecting professional or consulting consultants, the Agency representatives evaluating the proposals will consider the consultant’s demonstrated experience and competence, insurability, understanding of the scope of work, financial ability, resources to perform the work, willingness to cooperate with the Agency representatives and other consultants, and proposed methods to ensure timely and acceptable performance and management of the work. An award of a contract will be made to a qualified consultant whose proposal will be most advantageous to the Agency, with price and other factors considered.
- (c) The selection for professional services of private architectural, landscape architectural, engineering, environmental, land surveying, or construction project management firms will be on the basis of demonstrated competence and on the professional qualifications necessary for the satisfactory performance of the services required, pursuant to Government Code Section 4526.
- (d) Selection of the successful vendor of supplies or equipment (“Supplies”) will be based on the proposal that is most advantageous to the Agency, with price and other factors considered.

#### 1.20 Contracting Authority -- Less Than \$25,000

The General Manager of the Business Agent (“General Manager”) of the Santa Margarita Groundwater Agency may, by negotiated contract or purchase order, enter into contracts for Services or Supplies in the amount of less than \$25,000, provided there are funds in the approved budget for such Services or Supplies.

### **1.30 Contracting Authority -- \$25,000 or More But Less Than \$50,000**

- (a) The General Manager, after seeking written proposals, may enter into contracts for Services or Supplies in the amount of \$25,000 or more but less than \$50,000, provided there are funds in the approved budget for such Services or Supplies.
- (b) If the General Manager enters into a contract for Services or Supplies in the amount specified in Section 1.30(a), the General Manager will inform the Agency Board of such contract at the next regularly scheduled Board meeting.

### **1.40 Contracting Authority -- \$50,000 or More**

The General Manager will seek competitive written proposals for Services or Supplies estimated to cost \$50,000 or more. Agency representatives will review and rank proposals. Based on the findings of Agency representatives, the General Manager will make a recommendation to the Agency Board. Contracts for Services and Supplies in the amount of \$50,000 or more will be approved by the unanimous vote of the six (6) Member Directors of the Agency (Scotts Valley Water District; San Lorenzo Valley Water District and County of Santa Cruz). (Section 9.3 of the Agency's JPA Agreement).

### **1.50 Renewals or Extensions**

The General Manager may amend, extend or renew contracts for Services or Supplies with existing contractors, consultants or suppliers (each, an "Amendment") without seeking competitive proposals, provided the contract limit on the Amendment is less than \$50,000, and further provided there are funds in the approved budget for such Services or Supplies.

If the General Manager enters into an Amendment for Services or Supplies in the amount of \$25,000 or more but less than \$50,000, the General Manager will inform the Agency Board of such Amendment at the next regularly scheduled Board meeting.

An Amendment in the amount of \$50,000 or more shall be approved by the unanimous vote of the six (6) Member Directors of the Agency (Scotts Valley Water District; San Lorenzo Valley Water District and County of Santa Cruz). (Section 9.3 of the Agency's JPA Agreement).

### **1.60 Exceptions**

The Agency or its representatives are not required to obtain competitive proposals in the following circumstances:

- (a) When the Services or Supplies are needed on an emergency basis.
- (b) When competitive procurement would fail to produce an advantage or when the procurement process is undesirable, impractical, or impossible. Examples include situations when the Services or Supplies are to be performed in partnership with other public agencies or nonprofit organizations; or are to be paid for with private funds;

- (c) When the Services or Supplies are either:
  - (i) available from only one source, or
  - (ii) unique due to the specialized skill or experience of the contractor, consultant or supplier, or
  - (iii) proprietary in nature.
- (d) When the Services or Supplies are required to match, integrate or be compatible with an existing project or program and the work, materials or services are from a contractor, consultant or vendor who previously satisfactorily performed/provided work, materials or services to a Member of the Agency or the Agency.
- (e) When the Services or Supplies are obtained by cooperative procurements or “piggyback” on the competitive procurement process of another agency. The Agency shall have the authority to join with other public jurisdictions in cooperative purchasing plans, programs or pricing agreements. The Agency may also contract for Services and Supplies at a price established by competitive procurement by another public jurisdiction in substantial compliance with that public agency’s competitive procurement process. The Agency may also contract with any federal, state, municipality or other public agency.
- (f) In the event any of the exceptions to the competitive procurement process are used, the recommendation will be documented in writing and approved by the General Manager for procurements within the authority of the General Manager and by the Agency Board for procurements requiring Agency Board approval.