

# LA SELVA BEACH RECREATION DISTRICT PURCHASING POLICY

## INTRODUCTION

This policy is intended to provide the policies and procedures necessary for the conduct of purchasing activities for La Selva Beach Recreation District. This policy is designed to:

- (1) Provide a uniform procedure for the procurement of material, equipment, supplies, and services.
- (2) Ensure that the taxpayers are getting the “best overall value” for their dollars.

## 1. PURCHASING PROCEDURES

- A. All purchases, other than those explicitly exempted from this policy, require prior approval by the Board of Directors.
- B. Some of the factors considered when determining the “best overall value” are:
  1. Price
  2. Quality
  3. Warranty
  4. Service
  5. Availability
  6. Past Performance with La Selva Beach Recreation District
  7. References

## 2. PURCHASING POWER AND AUTHORITY

- A. Purchasing power and authority is granted as follows:
  - (1) **Up to \$1000.00** in total shall not require bids of any type. These types of purchases include supplies, material, equipment, minor repairs, maintenance and professional service contracts.
  - (2) **Over \$1000.00:** Written bids from at least three sources must be obtained. Purchases must be supported by written quotations from vendors. Direct solicitation is allowed. Award of purchase requires the approval of the Board.
- B. The Caretaker is authorized to execute contracts or purchases for supplies, material, equipment, minor repairs, maintenance and professional service contracts when the purchase does not exceed \$1000.00.
- C. The Caretaker will report all purchases of supplies, material, equipment, minor repairs, maintenance and professional service contracts in amounts greater than \$100 to the Board of Directors in accordance with this policy.
- D. All other contracts or purchases of material, equipment and repairs, maintenance and professional service contracts shall be approved or awarded by the Board of Directors.

## 3. BIDDING PROCEDURES

- A. Purchases of supplies, material, equipment, repairs and maintenance shall be subject to the bidding requirements as outlined in this policy. Bidding requirements shall not apply to the following cases:
  - (1) each purchase of supplies, material, equipment and minor repairs, maintenance and professional service contracts where the expenditure does not exceed \$1000.00; and
  - (2) the purchase of material, equipment and minor repairs and maintenance can only be obtained from one vendor or manufacturer.

- B. The Board of Directors reserves the right to reject any and all bids and may, at its discretion, request new bids when it determines that such action would benefit the District.
- C. In determining the lowest responsible bidder, the Board of Directors shall take into consideration the quality offered and its conformity with the specifications, the delivery and conditions for the bid, the service reputation for the bidder, and other information and data required verifying the bidder's responsibility.
  - (1) A responsible bidder is a vendor or manufacturer with the capacity in all respects, to preform according to the bid completely.
- D. All bids received shall be kept on file for a period of three years for audit purposes.

#### **4. CASES NOT REQUIRING BIDDING PROCEDURE**

The Board may approve a purchase without bid under the following conditions:

- A. Item is to be purchased under State or Federal Bid Contracts
- B. Only one known source of purchase, and there is no comparable substitute product or service. Written documentation supporting the sole source must be provided and kept on file for a period of three years for audit purposes.
- C. Specific type or brand of supply or part necessary for acceptable operation of a machine or device, or as required by warranty or contract on the machine or device; written documentation supporting the purchase of a specific brand or part necessary for acceptable operation of a machine or device must be provided.
- D. An item or service that is required on an emergency basis.
- E. An item previously awarded within the past twelve (12) months.

#### **5. EMERGENCY PROCUREMENT**

- A. Emergency Procurement Definition: Emergency procurement may be made when there exists a threat to public health, welfare or safety, provided that such emergency procurement shall be made with such competition as is practical under the circumstances.
- B. In case of an emergency requiring immediate purchase of materials, supplies, equipment or services, Board hereby authorizes the Maintenance Director or District Caretaker to approve such emergency purchase if the situation permits. The Board shall be notified as soon as possible as to the emergency and the associated purchases. A written determination for the basis of the emergency and for the selection of the particular contractor or vendor shall accompany the purchase order and voucher. As soon as is practicable, standard purchasing procedures will be reinstated.

#### **6. GENERAL PURCHASING PROVISIONS**

- A. Additional quantities may be procured within one year of original contract or purchase of supplies, material, equipment and minor repairs, maintenance and professional service contracts approved by the Board of Directors. The Caretaker may purchase additional quantities or services at the award price of the specified items, if such an option for additional quantities was approved by the Board at the time of award.
- B. Standardization of procurement for certain supplies, material, equipment and minor repairs, maintenance and professional service contracts is permitted when approved by the Board of Directors and significant cost savings has been demonstrated.

## **7. ARTIFICIAL DIVISION PROHIBITED.**

Purchases shall not be artificially divided so as to create lower purchase amounts and therefore avoid some requirements of this policy. Whether or not a proposed purchase constitutes artificial division shall be determined by the Board.

## **8. BUILDING IMPROVEMENTS AND PUBLIC WORKS PROJECTS.**

- A. If the District intends to undertake a building improvement or public works project paid for by the District, the District shall post in the District's official posting place:
- (1) Plans and specification for the building improvement or public works project; and
  - (2) An estimate of the cost of the building improvement or public works project.

## **9. EXCEPTIONS.**

Exceptions to the policy will be determined on a case-by-case basis by the Board and require a majority vote to suspend any requirements as laid out by this purchasing policy.

## **10. LOCAL ADVANTAGE**

The La Selva Beach Recreation District will make every effort to purchase from businesses located within Santa Cruz County if the purchase fits into the category of "best overall value." It must be noted that The La Selva Beach Recreation District Board and employees have a responsibility to the District to ensure that bids are awarded to vendors offering their products or services at the "best overall value" to the District.

## **11. PROFESSIONAL SERVICE CONTRACTS.**

- A. Either the Request for Proposal (RFP) or the Request for Qualifications (RFQ) process (or a combination) may be used. The primary difference between the two processes is that in the RFP process a specific proposal is received and evaluated. The proposal includes a scope of work and a cost proposal. In the RFQ process, Statements of Qualifications (SOQs) are received and selection is made upon those qualifications. In this process, a mutually acceptable scope of work and contract amount is negotiated with the successful bidder.
- B. The RFP/RFQ must be approved by the Board, must be in writing and must be posted in the District's official posting place.
- C. Proposals shall be opened before the public at a date, time and place designated in the RFP. The proposals shall be analyzed (based upon the "best overall value" to the District) and documented including staff recommendation. Award shall be made by the Board including approval of contracts.

## **12. PREQUALIFICATION OF SUPPLIERS**

- A. Prospective suppliers may be pre-qualified for particular types of supplies and technical and construction services.
- B. A "Request for Qualifications" will be solicited and advertised in order to establish a pre-qualified vendors list. Upon establishment of a pre-qualified vendors list, requests for proposals or requests for quotations may be submitted to individuals or companies on the list.

## **13. CANCELLATION AND REJECTION OF BIDS**

An invitation to bid, request for proposal, or other solicitation may be canceled, or any or

all bids or proposals may be rejected, in whole or part, as may be specified in the solicitation when it is in the best interest of the District. The reasons shall be made part of the formal bid file.

#### **14. ETHICS IN PUBLIC PURCHASING AND CONTRACTING**

- A. It shall be unethical for any District board member or employee involved in making procurement decisions to have personal investments in any business entity that will create a substantial conflict between their private interests and their public duties.
- B. It shall be unethical for any person to offer, give, or agree to give any District employee or board member, or for any District employee or board member to solicit, demand, accept, or agree to accept from any vendor or business, a gift or gratuity in any amount in connection with any decision, approval, disapproval, or recommendation concerning a solicitation.
- C. Inexpensive advertising items, bearing the name of a vendor, such as pens, pencils, paper weights, hats, cups, candy, calendars, etc., are not considered articles of value or gifts in relation to this policy.
- D. Failure to comply with the provisions of this policy will result in disciplinary action.

#### **15. EFFECTIVE DATE**

Passed by the Board of Directors for the La Selva Beach Recreation District this November Day of 11th, 2015, by the following vote: