



SLOUGHHOUSE

Resource Conservation District

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SLOUGHHOUSE RESOURCE CONSERVATION DISTRICT

Consultant Selection Policy

Amended December 9, 2020

The purpose of this policy is to affirm and update the Sloughouse Resource Conservation District (SRCD or the District) Directors' and Staff's authority and procedural requirements for professional and consultant services agreements. Professional and consultant services shall be procured as economically as possible, commensurate with the quality needed to provide the best overall value to the District.

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.

Whenever Staff or a Board Member becomes aware of a need or opportunity for a consultant or procurement, then this information should be made available for the Board to consider. If the estimated amount of the work is \$5,000 or less, the Board may prepare a task order and select the contractor of their choosing. If greater than \$5,000, a minimum of two, preferably three bids 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, budgetary considerations, and consultant's qualifications and experience. Legal recommendations from Counsel may also be considered.

1. **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 \$1,000, 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.
2. **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.
3. **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))

4. **Sole Source Contracts:** In the event that a necessary service will cost over \$5,000 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.

Policy adopted by the Board of Directors of the Sloughhouse Resource Conservation District on December 9, 2020 by the following vote:

Ayes: Washburn, Silva, Garms, Liebig

Noes: Schneider

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 December 9, 2020 that the Consultant Selection Policy 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

12-9-20

Date

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.