

**MONTEREY PENINSULA REGIONAL PARK DISTRICT
BOARD OF DIRECTORS MEETING**

DATE: January 8, 2020
TO: Board of Directors
FROM: Kelly McCullough, Finance Manager
REVIEWED BY: Rafael Payan, General Manager
SUBJECT: Review and approval of Policy Number 3007 – Public Contract Bidding, Vendor and Professional Consultation Selection, and Purchasing Policy

RECOMMENDED ACTION

It is recommended that the Board consider and approve changes to Policy Number 3007 - Public Contract Bidding, Vendor and Professional Consultation Selection, and Purchasing Policy. The change would increase the General Manager's authority to bind the district, in accordance with board policy that has been adopted in an open meeting, and without advertising, for the payment for supplies, materials, labor, or other valuable consideration for any purpose, in an amount not to exceed \$50,000. (**ATTACHMENT 1**).

FISCAL IMPACT

Not applicable – This is a Policy change

FUNDING SOURCE:

Not applicable

FUNDING BALANCE:

Not applicable

DISCUSSION

The Public Contract Bidding, Vendor and Professional Consultant Selection, and Purchasing Policy was formally approved by the Board and made effective February 17, 2016.

The 2016 policy featured changes to the maximum spending authority which could be approved by the General Manager without Board approval. That change was the result of Assembly Bill 745, sponsored by Assemblyman Marc Levine, approved by the Governor June 23, 2014, which amended Section 5549 of the Public Resources Code, enabling the governing body of any park or open space district to authorize its General Manager to bind that District, in accordance with board policy and without advertising, for up to \$25,000 for supplies, material, labor, or other valuable consideration for any purpose.

The District's Policy was revised again on July 1, 2018, to address changes to purchases using Federal funds. Staff is reviewing changes now being developed to the Uniform Guidance (UG) for purchases using Federal funds. Staff will bring the policy back to the Board again at a later time, to address any required changes due to UG revisions.

Legislation passed in 2018, has once again recognized the limitations of the current purchasing climate and the need for increased limits, in order to efficiently and effectively manage the District's business.

Assembly Bill 2137, sponsored by Assemblyman Chad Mayes, approved by the Governor September 6, 2018, amended Section 5549 of the Public Resources Code again, and reads as follows, "With the approval of the board, the general manager may bind the district, in accordance with board policy that has been adopted in an open meeting, and without advertising, for the payment for supplies, materials, labor, or other valuable consideration for any purpose, including new construction of a building, structure, or improvement, in amounts not exceeding fifty thousand dollars (\$50,000). All expenditures shall be reported to the board of directors at its next regular meeting."

Staff recommends the Board approve changes to the policy to authorize the General Manager's authority at \$50,000. This will improve the District's ability to get work done without having to wait a month or more to seek Board approval for supplies, materials, labor, or other valuable consideration for any purpose, including new construction of a building, structure, or improvement. Please see the attached red lined Draft Public Contract Bidding, Vendor and Professional Consultation Selection, and Purchasing Policy (**ATTACHMENT 1**).

ATTACHMENT:

1. [Draft Public Contract Bidding, Vendor and Professional Consultation Selection, and Purchasing Policy](#)