

**CHAPTER 3**  
**POLICIES, PROCEDURES AND BIDDING REGULATIONS**  
**GOVERNING PURCHASE OF SUPPLIES AND EQUIPMENT BY LAS**  
**GALLINAS VALLEY SANITARY DISTRICT**

PURPOSE. The purpose of these regulations is to adopt policies and procedures governing purchases of supplies, equipment and contractual services by the Las Gallinas Valley Sanitary District in accordance with Article 7, of Chapter 5, of Part I, of Division 2, of Title 5 of the Government Code. These regulations are not intended to conflict with applicable provisions of state law and shall be interpreted as supplementary thereto.

ARTICLE I. DEFINITIONS

Section 101. Except as otherwise specified herein, all definitions from Title 1, Chapter 1, Article II, shall apply herein.

ARTICLE II. PURCHASES

Section 201. Purchases By District. The Board hereby authorizes the General Manager to purchase supplies and equipment for the District or any department, office or other organizational unit thereof in amounts, or estimated amounts, of \$15,000.00 or less. Such purchases shall be made in conformity with the applicable provisions of these rules and regulations. The General Manager is responsible for making all such purchases at the most favorable price for the District, consistent with efficient operation. The General Manager shall secure competitive bids for all purchases that exceed \$15,000.00. The District need not use competitive bidding for any contract exempted under state law

Section 202. Purchases By the Governing Body of District. The General Manager shall submit to the Board requests for purchase of equipment and/or supplies in amounts that exceed \$15,000.00. If the amount of expenditures is estimated to exceed \$15,000.00, bids shall be solicited by public notice, followed by award by the governing body of the District, except where it is exempted by state law. The method and extent of public notice shall be prescribed by the District Counsel. All bids shall be submitted sealed to the District Secretary. The Board may reject any or all bids for any or all supplies and equipment. A tabulation of all bids received, whether accepted or rejected, shall be open for public inspection for a period of not less than thirty (30) days after the bid opening. In all cases, the award shall be made to the lowest responsible bidder. In determining the lowest bidder, the governing body of District shall take into consideration the quality offered and its

conformity with the specifications, the delivery and discount terms and conditions of the bid and other information and data required to prove his responsibility. However, price and quality being equal, preference may be given to responsible local bidders.

Section 203. Contractual Services. Requests for contractual services by the Secretary or any department, office or other organizational unit of District shall be submitted to the Board who may negotiate contracts for such services as it determines are necessary.

Section 204. Emergency Purchases. Emergency purchases may be made by the Secretary when the supplies or equipment so purchased are necessary for the preservation of life or property. Such emergency purchases shall be submitted to the Board for ratification at its next meeting.

Section 205. Gratuities. The acceptance of any gratuity in the form of cash, merchandise, or any other thing of value by an official or any employee of the District from a vendor or contractor, or prospective vendor or contractor, shall be a cause for disciplinary action.

Section 206. Unlawful Purchases. Except as otherwise provided by law and subject to prior approval by the Board, no purchase or supplies, equipment or contractual services shall be made in excess of the amount of the appropriations allowed by the budget.

“Section 207. Necessary Unique or Sole Source Purchases. Regardless of the requirements of Sections 202, above, in the event that it is necessary to purchase equipment or supplies that is/are unique or can only be purchased from a sole source, manufacturer or supplier, regardless if said equipment and/or supplies is/are new, used or custom-made, the District Board upon making findings that:

a. Said equipment or supplies are unique and currently are not manufactured or supplied by another source, manufacturer or supplier; or

b. Said equipment or supplies can only be purchased from a sole source, manufacturer or supplier because of its unique price or quality; and

c. The proposed equipment or supplies conforms with the requirements and/or specifications of the District;

The District Board may approve the purchase of said equipment or supplies without compliance with the competitive bidding or notice procedures thereof pursuant to Section 202, above, or State law where the purchase would be over \$15,000.00.”