

# Russian River Cemetery District

## Procurement Policy

### 1. Procurement of Services, Goods, and Public Works Projects

It is the policy of the Russian River Cemetery District (“District”) that the Grounds Foreman and the Office Manager are allowed to spend up to \$3,000 to procure services, goods, or public works projects without needing to seek approval from the Board of Trustees (“Board”). Any expenditures greater than \$3,000 must be approved by the Board of Trustees at a regular or special meeting of the Board.

No bidding procedure will be required for procurement of services, goods, or public works projects up to \$150,000, but the Board and Grounds Foreman shall seek the lowest cost supplies and highest quality services available.

Procurement of services, goods, or public works projects exceeding \$150,000 will be subject to an informal bidding procedure, which requires the Board or Grounds Foreman to solicit informal written proposals from at least two providers, if feasible. An informal written proposal consists of a written proposal that includes the provider’s name, address, phone number, professional license number (if applicable), the work to be performed, whether the work quoted is in compliance with public works laws, and the amount of the proposal. A written proposal may be in an electronic format. Although the District shall not be required to award to the lowest proposer, the District shall seek, when possible, to procure services, goods, or public works projects at the lowest cost and in the best interest of The District.

The California Public Contracting Code is not applicable to public cemetery districts organized and existing under California Health and Safety Code section 9000 *et seq.*, which includes the District. Accordingly, the District need not comply with the Public Contracting Code in procuring services, goods, or public works projects.

### 2. General Provisions

The provisions below shall apply to all methods of procurement described above.

- a. When procuring goods and services utilizing state or federal funds (*e.g.*, grant or loan funds), the District shall comply with all state or federal project requirements in securing any goods or services necessary. If there is conflict between the foregoing, the more restrictive requirements shall apply.
- b. No District officer or employee shall accept, directly or indirectly, any gift, rebate, money, or anything else of value from any person or entity if such gift, rebate, money, or item of value is intended to reward or be an inducement for conducting business,

placing orders with, or otherwise using the officer's or employee's position to secure a contract with the District.

- c. Based on the unique facts or circumstances described below and a written justification retained in the District's records, the Board or Grounds Foreman, after consultation with legal counsel, may waive one or more purchasing procedures in this Policy and/or use sole source procurement if the Board or Grounds Foreman determines that the best interests of the District are served; provided, however, that such method is not in violation of applicable law or policy.
- d. The informal bidding procedure shall not be required when the contract, goods, or services will be provided by another governmental agency. Additionally, the District can rely on the competitive procurement process provided by another governmental agency, provided that such agency's procurement is in compliance with California law.
- e. In accordance with Health & Safety Code section 9044, the District may request the California Department of General Services to make purchases, equipment, or supplies on the District's behalf, or may request the purchasing agent of Sacramento County to make purchases of materials, equipment, or supplies or contract with persons to provide projects, services, and programs on the District's behalf.
- f. In the event of an emergency, the Board or Grounds Foreman may suspend the normal purchasing and procurement requirements for goods and services related to abatement of the impacts or effects of the emergency. Upon exercise of such authority, the Grounds Foreman shall inform the Chairperson of the Board as soon as possible, and inform the Board at the next meeting.
- g. Each District contract and subcontract shall contain a nondiscrimination clause that reads substantially as follows:

Contractor shall not discriminate on the basis of race, gender, gender expression, gender identity, religion, national origin, ethnicity, sexual orientation, age, or disability in the solicitation, selection, hiring, or treatment of subcontractors, vendors, or suppliers. Contractor shall provide equal opportunity for subcontractors to participate in subcontracting opportunities.

Current spending limit

Grounds Foreman Cooper = \$1,000 updated June 2017

Office Manager Kornegay = \$500