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**San Mateo County Flood & Sea Level Rise
Resiliency District
BOARD OF DIRECTORS**

County Supervisors:

District 3 Don Horsley
At-Large Dave Pine - **Chair**

City Representatives:

North Donna Colson
Central Diane Papan
South Lisa Gauthier
Coast Debbie Ruddock – **Vice Chair**
At-Large Maryann Moise Derwin

AGENDA

August 23, 2021

4:00 PM

- 1. Roll Call**
- 2. Public Comment** Persons wishing to address the Board on District-related matters not on this Agenda may speak for up to two minutes; comments on Agenda items shall be heard during that item for up to two minutes.
- 3. Action to Set the Agenda and Approve the Consent Agenda**
 - A. Approve the Minutes of the May 24, 2021, June 28, 2021, July 22, 2021 District Board Meetings
- 4. Regular Business**
 - A. Discuss the San Mateo County Civil Grand Jury Report titled “San Mateo County: California’s Ground Zero for Sea Level Rise” released on August 11, 2021 and requiring a District Board response
 - B. Approve an updated Procurement and Contracting Policy for the District
 - C. Discuss the creation of objectives and standards of the District and cities related to sea level rise for new development along and near the San Francisco Bay shoreline*
- 5. Chair’s Report***
- 6. CEO’s Report***
- 7. Board Member Reports and Items for a Future Agenda***
- 8. Adjournment**

* There is no written staff report for this item

Meeting information, and public access and communications

- During the meeting, public comment can be submitted at the appropriate time via Zoom Chat or by raising your hand, speaking if joining by phone, or email to board@onshoreline.org prior to 12:00 pm on the meeting day; please indicate the agenda item to which your comment applies and it will be read or summarized at the meeting by the Board Clerk.
- If you require assistance to participate in the meeting or wish to submit written communication to all Board Members regarding the meeting, please contact the Clerk of the Board by 9:00 am on the day of the meeting.
- Public records relating to an open session item on the agenda are available at least 72 hours prior to a Regular Board meeting or at least 24 hours prior to a Special Board meeting, when these records are distributed to Board members. Public records are available at the District office at 1700 South El Camino Real, Suite 502, San Mateo, CA 94402 and at www.onshoreline.org. To receive these documents electronically, please email board@onshoreline.org.

**SAN MATEO COUNTY
FLOOD AND SEA LEVEL RISE RESILIENCY DISTRICT
Board of Directors meeting held remotely via Zoom
May 24, 2021
DRAFT - MINUTES**

1. Roll Call

Chair Pine called the meeting to order at 4:01 p.m. via Zoom video conference software. Interim Clerk of the Board Sukhmani Purewal took the roll call.

Directors Present:

Dave Pine, Representing Board of Supervisors, At Large (Chair)
Debbie Ruddock, Representing Pacific Coastside San Mateo County Cities (Vice Chair)
Donna Colson, Representing Northern San Mateo County cities
Maryann Moise Derwin, Representing San Mateo County cities at-large
Don Horsley, Representing Board of Supervisors, District 3
Diane Papan, Representing Central San Mateo County cities

Director(s) Absent:

Lisa Gauthier, Representing Southern San Mateo County cities

Staff Present:

Len Materman, Chief Executive Officer
Brian Kulich, Esq., Legal Counsel
Colin Martorana, Associate Project Manager
Lucy Dong, Finance Manager
Makena Wong, Associate Project Manager
Sukhmani Purewal, Assistant Clerk of the Board of Supervisors

2. Public Comment

None

3. Action to Set the Agenda and Approval the Consent Agenda

- A. Approve the Minutes of the April 26, 2021 District Board Meeting
- B. Adopt Resolution 2021-05-24 amending membership rules of the Colma Creek Flood Zone Advisory Committee
- C. Approve the appointment of a new member to the Colma Creek Citizens Advisory Committee
- D. Authorize the Chief Executive Officer to Enter Into an Agreement with the Town of Colma Regarding Maintenance of Portions of a Key Tributary of Colma Creek known as Old Colma Creek

Public Speaker(s): None

Motion made by Director Ruddock and seconded by Director Horsley to set the agenda and approve consent agenda items:

Ayes: Colson, Derwin, Horsley, Papan, Pine and Ruddock

Noes: None

Absent: Gauthier

Vote: 6-0-1

4. Regular Business

- A. Discuss the Fiscal Year 2020-21 Budgets, and the Fiscal Year 2021-22 Draft Budgets

Presenter: Len Materman

Mr. Materman mentioned that many of the key objectives for FY2021-22 are: A) Move towards a long-term, stable source of District operating and project funds; B) Secure funding from State and Federal governments; C) Conduct outreach to all areas of the County; D) Complete construction of the Bayfront Canal and Atherton Channel Project; E) Make progress on District-led regional and flood zone planning and design projects; and F) Further develop the District's financial system.

Mr. Materman provided the Board members with an overview of the operating budget; below is a chart that shows the approved budget for the current fiscal year (FY20-21) and the estimated Year-End budget:

Budget item	Approved FY2020-21	Estimated Year-End FY2020-21
Revenue	\$1,495,500	1,508,329
Expenses – Net Personnel	\$668,249	\$605,168
Expenses – Net Operations & Support	\$825,451	\$446,940
Total Expenses	\$1,493,700	\$1,052,108
End of FY Balance i.e. Reserves	\$891,800 (actual \$1,346,650)	\$1,802,871

The District began operating and incurring expenses on January 1, 2020. After FY21-22, 10% annual increases in expenses are assumed and current known revenues are expected to run out soon after July 1, 2024, which is over 18 months longer than the planned three years of start-up funding.

Mr. Materman also discussed the FY2020-21 approved and estimated year-end numbers for the three zones within the "Flood Zones Budget".

For the upcoming fiscal year, the capital budget projects budget will be introduced, which will be separate from the operating budget.

Director Lisa Gauthier, Representing Southern San Mateo County cities joined the virtual meeting at 4:27 p.m.

Other speakers on this item: Donna Colson, Dave Pine, Diane Papan, Maryann Derwin, Don Horsley, and Brian Kulich.

Public Speaker(s): None

Director Colson asked that the District Board look into requesting a one-year extension of funding to keep ongoing District goals and projects viable in the case that a long-term funding source is not secured by July 1, 2024.

5. Chair's Report

Director Dave Pine mentioned that the poll survey concerning the potential parcel tax has been completed and the data is being analyzed. Additional information will be provided at the June meeting.

In regards to AB1500 and SB45 bonds, these are not going on the ballot.

Public Speaker(s): None

6. CEO's Report

Mr. Len Materman talked about four items:

- Bayfront Canal Project
- District Investments: PFM and US Bank are doing most of our investments.
- State and Federal updates: Budget requests were made to both Assembly member Mullin and Senator Becker.
- Wildfire forum with League of Women Voters will be on June 3rd and Directors Horsley and Derwin will be participating.

Public Speaker(s): None

7. Board Members Reports and Items for a Future Agenda*

Director Horsley talked about the great accomplishment by County of San Mateo Dept. of Public Works with Coastal Commission in regards to the pedestrian bridge on Mirada Road in the City of Half Moon Bay.

Director Gauthier mentioned that there will be a conference on "Race to Net Zero", which is being held by Silicon Valley Leadership Group on June 25.

8. Adjournment

The meeting adjourned at 5:02 p.m.

**SAN MATEO COUNTY
FLOOD AND SEA LEVEL RISE RESILIENCY DISTRICT
Board of Directors meeting held remotely via Zoom
June 28, 2021
DRAFT - MINUTES**

1. Roll Call

Chair Pine called the meeting to order at 4:01 p.m. via Zoom video conference software. Clerk of the Board Sukhmani Purewal took the roll call.

Directors Present:

Dave Pine, Representing Board of Supervisors, At Large (Chair)
Debbie Ruddock, Representing Pacific Coastside San Mateo County Cities (Vice Chair)
Donna Colson, Representing Northern San Mateo County cities
Maryann Moise Derwin, Representing San Mateo County cities at-large
Diane Papan, Representing Central San Mateo County cities

Director(s) Absent:

Don Horsley, Representing Board of Supervisors, District 3
Lisa Gauthier, Representing Southern San Mateo County cities

Staff Present:

Len Materman, Chief Executive Officer
Brian Kulich, Esq., Legal Counsel
Colin Martorana, Associate Project Manager
Lucy Dong, Finance Manager
Makena Wong, Associate Project Manager
Srecko Curkovic, Stanford Summer Fellow
Sukhmani Purewal, Assistant Clerk of the Board of Supervisors

2. Public Comment

Councilmember Cecilia Taylor, City of Menlo Park talked about the outreach on the Local Hazard Mitigation Plan and asked whether the community-based organization "Climate Resilient Communities" should the lead on the outreach effort.

3. Action to Set the Agenda and Approval the Consent Agenda

- A. Adopt Resolution 2021-06-28-A approving and adopting a Labor Compliance Program for District projects
- B. Adopt Resolution 2021-06-28-B authorizing the Chief Executive Officer to execute change orders totaling no more than \$200,000 above the not-to-exceed amount in the construction contract for the Bayfront Canal and Atherton Channel Project
- C. Adopt a Drug-Free Workplace Policy for the District

Public Speaker(s): None

Director Horsley arrived to the virtual meeting at 4:05 p.m.

Motion made by Director Colson and seconded by Director Ruddock to set the agenda and approve consent agenda items:

Ayes: Colson, Derwin, Horsley, Papan, Pine and Ruddock

Noes: None

Absent: Gauthier

Vote: 6-0-1

4. Regular Business

- A. Approve the Fiscal Year 2021-22 Operating Budget, Flood Zones Budget, and Capital Projects Budget

Presenter: Len Materman

Mr. Materman mentioned that this item follows a discussion at the last Board meeting of the current year budget and key objectives for the next Fiscal Year, FY2021-22.

In regards to the Operating Budget, below is a chart that was shown, which summaries the proposed FY2021-22 amounts:

Operating Budget item	Proposed FY2021-22
Total Revenue	\$2,292,780
Total Net Expenses Net Personnel (\$891,264), Net Operations & Support (\$630,754)	\$1,522,018
Revenue minus Expenses	\$770,762
Reserves from prior (2020-21) fiscal year	\$1,913,500
Estimated Reserves at end of FY2021-22	\$2,684,262

Below is a summary chart of the Proposed FY2021-22 Flood Zones Budget:

Budget item	Colma Creek	San Bruno Creek	San Francisquito Creek
Revenue	\$3,539,764	\$299,382	\$363,571
Expenses	\$4,332,973	\$381,900	\$378,140
Revenue minus Expenses	(\$793,209)	(\$82,518)	(\$14,569)
Reserves from prior (2020-21) fiscal year	\$29,628,664	\$3,728,909	\$808,483
FY2021-22 Year End Balance (reserves)	\$28,835,455	\$3,646,391	\$793,914

Mr. Materman talked about the Proposed FY2021-22 Capital Projects Budget and below is a summary:

Project	Local Gov't Revenue	CA / Fed Revenue through partners	Total Revenue	Expenses	Surplus or Deficit
Bayfront Canal & Atherton Channel	\$6,988,000	\$1,135,000	\$8,123,000	\$7,648,000	\$475,000
Contracts				7,583,000	
District staff time				65,000	
Burlingame-Millbrae	\$60,000	\$75,000	\$135,000	\$135,000	\$0
Contracts				\$125,000	
District staff time				\$10,000	

Other speakers on this item: Diane Papan, Donna Colson, Dave Pine, Debbie Ruddock.

Public Speaker(s): Margaret Bruce

Director Gauthier arrived to the virtual meeting at 4:40 p.m.

Motion made by Director Papan and seconded by Director Horsley to approve the Fiscal Year 2021-22 Operating Budget, Flood Zones Budget, and Capital Projects Budget:

Ayes: Colson, Derwin, Gauthier, Horsley, Papan, Pine and Ruddock

Noes: None

Absent: None

Vote: 7-0-0

5. Chair's Report

Director Ruddock mentioned that neither of the bond bills, AB1500 and SB45 are moving forward.

Director Pine provided an update on the Parcel Tax ballot measure, mentioning that the Strategic Planning Committee will plan to meet before the August board meeting on next steps.

Public Speaker(s): None

6. CEO's Report

Mr. Len Materman talked about three items:

- Construction has begun on the Bayfront Canal and Atherton Channel Project
- Next anticipated Board meeting will be August 23, 2021
- Introduced Grad Student Srecko Curkovic, Stanford Summer Fellow

Public Speaker(s): None

7. **Board Members Reports and Items for a Future Agenda***

Director Horsley talked about the work being done by Resource Conservation District (RCD) and asked staff to agendize a presentation by RCD on a future agenda.

Director Horsley asked to get a tour of the Bayfront Canal and Atherton Channel Project.

8. **Adjournment**

The meeting adjourned at 4:51 p.m.

**SAN MATEO COUNTY
FLOOD AND SEA LEVEL RISE RESILIENCY DISTRICT
Board of Directors special meeting held remotely via Zoom
July 22, 2021
DRAFT - MINUTES**

1. Roll Call

Chair Pine called the meeting to order at 9:03 AM via Zoom video conference software. Acting Clerk of the Board of Directors Colin Martorana took the roll call.

Directors Present:

Dave Pine, Representing Board of Supervisors, At Large (Chair)
Debbie Ruddock, Representing Pacific Coastside San Mateo County Cities (Vice Chair)
Donna Colson, Representing Northern San Mateo County cities
Maryann Moise Derwin, Representing San Mateo County cities at-large
Lisa Gauthier, Representing Southern San Mateo County cities
Diane Papan, Representing Central San Mateo County cities

Director(s) Absent:

Don Horsley, Representing Board of Supervisors, District 3

Staff Present:

Len Materman, Chief Executive Officer
Brian Kulich, Esq., Legal Counsel
Colin Martorana, Project Manager
Lucy Dong, Finance Manager
Makena Wong, Associate Project Manager

2. Public Comment

None

3. Action to Set the Agenda

Motion made by Director Ruddock and seconded by Director Gauthier to set the agenda:

Ayes: Colson, Derwin, Gauthier, Papan, Pine and Ruddock

Noes: None

Absent: Horsley

Vote: 6-0-1

No written or verbal public comments.

4. Regular Business

Adopt Resolution 2021-07-22-A adopting FY 2021-22 Water Pollution Control Service Charges Reports for Flood Zone One - Countywide, and Resolution 2021-07-22-B adopting FY 2021-22 Water Pollution Control Service Charges Reports for Flood Zone Two - City of Pacifica

Mr. Len Materman provided the Board with an overview of this item.

Matt Fabry of C/CAG provided historical context as to how these zones were established, along with their associated fees. Fabry noted that the task to adopt these Service Charges Reports was inherited by the District, as this responsibility precedes the District's establishment.

Other speakers on this item were: Diane Papan.

Motion made by Director Papan and seconded by Director Pine to adopt Resolution 2021-07-22-A:

Ayes: Colson, Derwin, Gauthier, Papan, Pine, Ruddock

Noes: None

Absent: Horsley

Vote: 6-0-1

Motion made by Director Papan and seconded by Director Colson to adopt Resolution 2021-07-22-B:

Ayes: Colson, Derwin, Gauthier, Papan, Pine, Ruddock

Noes: None

Absent: Horsley

Vote: 6-0-1

5. **Chair's Report**

None

Public Speaker(s): None

6. **CEO's Report**

Updates were provided by Mr. Len Materman on the status of the Bayfront Canal and Atherton Channel Flood Protection and Ecosystem Restoration Project

Public Speaker(s): None

7. **Board Members Reports and Items for a Future Agenda***

Director Ruddock mentioned that the State's resilience Budget Trailer Bill, which is anticipated to appropriate at least \$200 Million, is currently being drafted and must be considered by the legislature by late August.

8. **Adjournment**

The meeting adjourned at 9:22 AM

San Mateo County Flood and Sea Level Rise Resiliency District
Agenda Report

Date: August 23, 2021
To: San Mateo County Flood and Sea Level Rise Resiliency District Board of Directors
From: Len Materman, CEO
Subject: Discuss the San Mateo County Civil Grand Jury Report titled “San Mateo County: California’s Ground Zero for Sea Level Rise” released on August 11, 2021 and requiring a District Board response

Recommendation:

That the San Mateo County Flood and Sea Level Rise Resiliency District (“District” or “OneShoreline”) Board of Directors (“Board”) discuss the San Mateo County Civil Grand Jury [Report](#) titled “San Mateo County: California’s Ground Zero for Sea Level Rise” (“Report”).

Background and Discussion:

“San Mateo County remains at risk from sea level rise and will continue to be for many generations. OneShoreline is the County’s special district with the mission to protect the County from SLR and flooding, and to work with cities, towns, and the County. Although it is just a year old, OneShoreline appears to be heading in the right direction. OneShoreline must be sustainably funded in order to do the work needed to protect San Mateo County from the unavoidable problems caused by sea level rise.” (Report, p. 22.)

So concludes the recent Report issued by the San Mateo County Civil Grand Jury (“Grand Jury”), an independent investigative body authorized by the California Constitution. Composed of 19 citizens, the Grand Jury serves as a “watchdog” and “voice” for citizens of the County to investigate and recommend solutions to a wide range of major challenges facing the County.

The Grand Jury first identified sea level rise (SLR) as one of those major challenges in 2015 when it issued a report titled “Flooding Ahead: Planning for Sea Level Rise” that called for the creation of a countywide agency to address the problems brought on by SLR. Following establishment of the District on January 1, 2020, the Grand Jury studied the issue once again and on August 11, 2021 released the Report, the purpose of which is to answer the question: “Is OneShoreline on course to adequately address the sea level rise challenge that has been assigned to it, and does it have the support it needs?”

The Report begins by describing the scale of the SLR problem in the County, which is unequalled among counties in California; the fundamental options for addressing the problem; other reports that have documented SLR since the Grand Jury last tackled the issue in 2015; and the origins, governance, and objectives of OneShoreline, and our activities during our first full year of operation. The Report then lists potential roles for OneShoreline and the funding of our operations and projects. It then discusses several important topics related to SLR projects, including the lengthy process to secure environmental regulatory permits; the role of Army Corps of Engineers, FEMA, and other federal and state agencies; and the level of awareness among cities to this threat.

The Report concludes with two Best Practices, 13 Findings, and four Recommendations, and requests responses from the County of San Mateo, each of the 20 cities within the County, and the OneShoreline Board of Directors. Penal Code Section 933 requires a response to Presiding Judge within 90 days.

Thus, no response is required at this time. Instead, the purpose of this item is to make the Board and public aware of the Report, and to discuss each of its Findings and Recommendations and the Board’s potential responses to those items, so that at the next Regular Board meeting (September 27) the Board may approve the sending of a letter with responses from the Board Chair to the Grand Jury.

Fiscal Impact on District Resources:

There is no fiscal impact on District resources associated with the discussion of this Report.

Attachment: The Civil Grand Jury Report “San Mateo County: California’s Ground Zero for Sea Level Rise” can be found at: http://www.sanmateocourt.org/documents/grand_jury/2020/Sea%20Level%20Rise.pdf.

**San Mateo County Flood and Sea Level Rise Resiliency District
Agenda Report**

Date: August 23, 2021
To: San Mateo County Flood and Sea Level Rise Resiliency District Board of Directors
From: Len Materman, CEO
Subject: Approve an Updated Procurement and Contracting Policy for the District

Recommendation:

That the San Mateo County Flood and Sea Level Rise Resiliency District (“District”) Board of Directors (“Board”) approve an updated District Procurement and Contracting Policy (“Updated Policy”).

Background and Discussion:

On January 13, 2020, the Board adopted Administrative Memorandum No. 1 establishing the District’s current policies and procedures surrounding procurement, solicitation, and contracting. These policies and procedures were drawn from the County of San Mateo’s Administrative Memorandum B-1 because, at the time, the County Controller’s Office had agreed to oversee the District’s financial services so long as the District complied with the County’s fiscal policies and procedures.

Effective July 1, 2020, the District established independent control over its financial systems, and staff now recommends that the Board adopt the Updated Policy to streamline existing policies and procedures and increase efficiency, while continuing Board oversight. The proposed changes to the Updated Policy include:

- Eliminating the distinction between contracts for flood zone maintenance/operations and other District contracts to allow for greater oversight and savings associated with those contracts;
- Increasing the expected contract amounts that require varying levels of competitive solicitation, and the authority for the CEO to execute smaller contracts, as summarized in the following table:

Expected Contract Amount	Solicitation Requirement	Contracting Authority
Less than \$75,000	May be informal and non-competitive	CEO
\$75,000-\$150,000	Staff shall attempt to secure at least three responses	Board of Directors
Over \$150,000	Formal solicitation (advertised RFP)	Board of Directors

As represented in this table, the CEO’s contracting authority would increase from \$25,000 to \$75,000 for all contracts except public works construction contracts governed by the Public Contract Code;

- Increasing the amount of goods or services from \$5,000 to \$15,000 whereby a statement of work can be approved by the CEO without executing a formal contract (unless required by law or a grant);
- In the case of an emergency, the current Board-adopted policy enables the CEO to authorize expenditures up to \$100,000 without the need to comply with applicable competitive solicitation requirements and without prior Board approval; the proposed policy would allow the CEO to authorize expenditures above \$75,000 without competitive solicitation requirements and require the CEO to notify the Board of any such expenditures at the next regularly scheduled Board meeting; and
- Implementation of best practices and other efficiency-based updates.

The proposed changes to this Policy will be summarized and can be discussed at this Board meeting.

Fiscal Impact on District Resources:

Approval of the Updated Policy will not have a fiscal impact on District resources.

Attachments: Draft Updated Procurement and Contracting Policy

**SAN MATEO COUNTY FLOOD AND SEA LEVEL RISE RESILIENCY DISTRICT
PROCUREMENT AND CONTRACTING POLICY
REGARDING SOLICITING, SELECTING, AND EXECUTING AGREEMENTS
WITH PROVIDERS OF GOODS AND SERVICES**

I. PURPOSE

This Policy establishes internal procedures for the San Mateo County Flood and Sea Level Rise Resiliency District (the “District”) regarding the process for, and authorization of, the procurement of goods and services. The goals of this Policy are to obtain the best value from, and efficiently administer, District contracts, and to maintain the public trust by conducting District business with integrity, fairness, and transparency.

II. SOLICITATION

A. General Provisions For All Amounts

1. Competitive procurement, particularly for larger contracts, is the District's preferred method of procurement. Cases where competition is infeasible or inefficient due to extenuating circumstances may justify waiving competitive requirements, as described in Section IV of this Policy.
2. The District or its designee is required to follow contract solicitation procedures to ensure compliance with applicable laws and regulations. Contracts for public works construction projects, as defined by Public Contracting Code Section 22002, shall conform to all applicable contracting and solicitation requirements for such contracts under State law.
3. Solicitations must include the information necessary to enable interested parties to propose a scope, schedule, and price.

B. For Contracts Expected to be Less Than \$75,000

1. No formal solicitation is required; instead, an informal and non-competitive solicitation may be conducted, unless a waiver of such solicitation is allowed as described in Section IV of this Policy.

C. For Contracts Expected to be Between \$75,000 and \$150,000

1. No formal solicitation is required; instead, an informal solicitation may be conducted, unless a waiver of such solicitation is allowed as described in Section IV of this Policy.
2. If an informal solicitation is conducted, District staff shall attempt to secure at least three responses; if three proposals are not received, the solicitation record must detail these efforts.

D. For Contracts Expected to be Greater Than \$150,000

1. A formal solicitation, such as a publicly advertised Request for Proposals (RFP), must be issued unless a waiver of such solicitation is allowed as described in Section IV of this Policy.
2. In addition to including the information necessary to enable interested parties to propose a general scope, schedule, and price, solicitations over \$150,000 must include:
 - The District's objective(s) in issuing the solicitation.
 - A detailed description of expected tasks and deliverables.

- A description of the process and timeline for reviewing responses and awarding a contract.
 - The criteria that will be considered in awarding a contract and how offers will be evaluated.
 - A statement regarding the District's right to reject all submissions and not enter into a contract.
3. Procurements exceeding \$150,000 may not be split into multiple smaller solicitations to circumvent procurement requirements.
 4. The factors to be considered in determining best value in order to make an award include:
 - Price;
 - Experience of either the firm or the staff to be assigned to the project, and a description of their experience with similar projects; and
 - The proposed methodology for meeting the District's needs, including a work plan and timeline for completing tasks and providing deliverables.
 5. In addition to the factors listed above, the District will also assign value to proposals from small businesses, and women and/or minority-owned businesses.

III. CONTRACTING

A. General Provisions For All Amounts

1. Contracts are to be awarded to proposers that are responsible and submit proposals that are responsive as defined by the following:
 - A proposer is "responsible" if they are trustworthy and possess the skills, resources, fitness, capacity, and experience to satisfactorily perform the requested work, and have not been barred from government contracts for prior misconduct.
 - A proposal is "responsive" if it meets the requirements of the solicitation documents and complies with instructions and procedures set forth in the documents. Minor irregularities may be waived if these would not affect the outcome of the solicitation.
2. Contracts may be awarded based on price and other factors, which, taken together, are deemed to provide the best overall value to the District.
3. The District may not award a contract to a party directly involved in developing the solicitation for that contract.
4. The District shall maintain written or electronic records for each procurement. All District contracts may be signed electronically in accordance with State law.
5. The District or designee is responsible for administration of the resulting contract or contract amendment, which includes obtaining signed W-9 forms from new contractors; monitoring contractor performance, invoices, and payment; and ensuring full compliance with the terms and conditions of the contract.

B. For Contracts Expected to be Less Than \$75,000

1. The District may utilize the standard District contract template, which includes the names of parties to the contract, the term of the contract, the maximum contract amount, and a scope of work that includes all tasks to be performed by each party.
2. Approval of the contract can be made by the CEO without the need to obtain approval by the District Board.
3. If an amendment causes a contract's total amount to exceed \$75,000, all requirements for contracts exceeding \$75,000 as provided in Sections III.C. and III.D of this Policy, including the requirement for approval by the District Board, must be met.

4. For goods or services valued at less than \$15,000, a statement of work that includes the names of parties, a schedule, and price can be approved by the CEO without executing a formal contract, unless a contract is required by law or as a condition of revenue or grant funding.

C. For Contracts Expected to be between \$75,000 and \$150,000

1. In addition to the requirements for contracts listed in Section III.B.1. of this Policy, the contract must include a project budget and a contract number that will be recorded in the District's accounting system.
2. District Counsel must approve contracts that deviate from the District contract template.
3. Approval of the contract must be made by the District Board.

D. For Contracts Expected to be Greater Than \$150,000

1. In addition to the requirements for contracts listed in Section III.C.1. of this Policy, the contract must include an itemized project budget, more detailed scope of work that includes all tasks to be performed by each party, and a detailed schedule for project completion, including due dates of deliverables.
2. District Counsel must approve contracts that deviate from the District contract template.
3. Approval of the contract must be made by the District Board.

IV. WAIVERS FOR SOLICITATION AND CONTRACTING

E. Emergencies

1. An emergency is defined as a sudden, unexpected occurrence posing a clear and imminent danger that will not permit delays that would result from competitive procurement.
2. In the case of an emergency, the CEO may authorize expenditures for work, services, and/or supplies where the cost exceeds \$75,000 without the need to comply with applicable competitive solicitation requirements and without prior District Board approval. The CEO shall notify the Board of any expenditures for emergency work, services, and/or supplies exceeding \$75,000 at the next regularly scheduled District Board meeting.
3. If the District expects to seek Federal or State reimbursement for emergency expenditures, Federal or State procurement and contracting rules may supersede District rules.
4. Once an emergency has passed, procurements undertaken to address the consequences of the emergency must comply with standard District procurement and contracting procedures.

F. Non-Emergencies

1. In the case of a non-emergency, competitive solicitation may be waived by the District Board due to unique factors, such as: the good or service is only available from a single source, is a continuation of an ongoing service or project, is site-specific with only one reasonable alternative, has unique performance factors, is for legal services, will become part of existing products or equipment, or is offered at a substantial discount below current market conditions and prices.
2. Waiver of competitive requirements must be justified in a written document that is kept as part of the procurement record. Either a specific exemption must be identified, or a justification of the waiver must be provided, which includes:
 - The unique and required factors that are unavailable from any other source;
 - Substitutes or other products or sources that were considered and rejected and why; and
 - A statement that the price has been verified as fair and reasonable.