

**DIABLO COMMUNITY SERVICES DISTRICT
BOARD OF DIRECTORS
REGULAR MEETING AGENDA¹
TELECONFERENCE VIA THE APPLICATION ZOOM
TUESDAY, MAY 11, 2021 7:30 P.M.**

MEETING PROCEDURE

Under the Governor's Executive Order N-29-20 issued March 19, 2020, the Diablo Community Services District is using teleconferencing for meetings. All members of the public seeking to observe and/or address the Board may participate in the meeting in the manner described below. This meeting can be viewed using the Zoom platform:

ZOOM WEBSITE: <https://zoom.us/j/4680449859>

MEETING ID: **468 044 9859**

FOR AUDIO PARTICIPATION ONLY: Call (346) 248-7799 or (669) 900-9128 and enter Meeting ID# 468 044 9859 followed by the pound (#) key.

To submit public comments before the meeting, email generalmanager@diablocsd.org before 12 pm on the day of the meeting.

CALL TO ORDER: **President: Kathy Urbelis**

ROLL CALL: **Secretary: Jeff Eorio**

Urbelis, Becker, Eorio, Isom, Cox

PUBLIC COMMENTS: *Public comments will be taken on any subject including items on this agenda and are limited to 3 minutes per person when speaking in English, and 6 minutes per person when using a translator. Comments by the audience are not intended to result in a dialogue between members of the audience or between the audience and the Board. Please note that under Brown Act regulations, no member of the Board may engage in any discussion, other than a brief comment or request for clarification, of any item raised by any member of the audience unless that item is included as an agenda item.*

1. BOARD/STAFF COMMUNICATION AND ACTIONS:

ADMINISTRATIVE: Director Urbelis

- a) Adopt Resolution No. 2021-03, authorizing the Measure B Special Tax rates for FY22, which includes a 3% COLA, as permitted by the Special Tax, added to the FY21 rate. The tax rates for FY22 are, Improved lots - \$723.68, Unimproved lots - \$139.94, Diablo Country Club - \$25,618.64.
- b) Review the FY22 draft budget, to be approved at the June 8th Regular Meeting.

¹ Agenda attachments are available on the DCSD's website (www.diablocsd.org) home page under Agenda.

ROADS: Director Cox & General Manager

- a) Authorize General Manager to enter into a maintenance contract for Seal Coat on certain roads within the District to be performed in summer 2021. See attached staff report

SECURITY: Deputy Sheriff Dan Buergi

- a) Present prior month's security report.

2. CONSENT CALENDAR:

- a) Approve the minutes of the April 13, 2021 Regular Meeting.

3. REPORTS:

CONTRA COSTA COUNTY:

Alicia Nuchols

DIABLO PROPERTY OWNERS ASSOC:

Dana Pingatore

DIABLO COUNTRY CLUB:

Hank Salvo

4. CALL OF NEXT MEETING & ADJOURNMENT:

The next DCSD Regular Board meeting is scheduled for June 8, 2021 at 7:30 p.m. via Zoom.

Diablo Community Services District by

Kathy Torru, General Manager
generalmanager@diablocsd.org

DCSD Board Meetings are accessible to people with disabilities and others who need assistance. Individuals who need special assistance or a disability-related modification or accommodation (including auxiliary aids or services) to observe and/or participate in this meeting; or who have a disability and wish to request an alternative format for the agenda, meeting notice, agenda packet, or other writings that may be distributed at the meeting should contact the General Manager at least one working day before the meeting at (925) 683-4956 or generalmanager@diablocsd.org. Notification in advance of the meeting will enable the District to make reasonable arrangements to ensure accessibility to this meeting and the materials related to it. Public records that relate to any item on the open session agenda are available for public inspection by contacting the General Manager and on the District's website <http://diablocsd.org>.

RESOLUTION NO. 2021-03

RESOLUTION OF THE DIABLO COMMUNITY SERVICES DISTRICT CONFIRMING RESULTS OF MEASURE B SPECIAL TAX ELECTION AND DIRECTING COUNTY AUDITOR TO LEVY VOTER-APPROVED TAX

WHEREAS, at an election held on March 6, 2018, the Diablo Community Services District ("District") was successful in obtaining more than two-thirds voter approval to levy a qualified special tax known as Measure B (the "Tax"), as evidenced by the letter from the Contra Costa County Clerk dated March 14, 2018 containing the Certificate of Election Results; and

WHEREAS, the Tax set the initial rates for Improved Parcels, Unimproved Parcels, and the Diablo Country Club at \$662.26, \$128.06, and \$23,444.68, respectively; and

WHEREAS, the Tax allows for an annual inflation adjustment, and the District has calculated the rates for Fiscal Year 2021-2022 to be \$723.68, \$139.94, and \$25,618.64 for Improved Parcels, Unimproved Parcels, and the Diablo Country Club, respectively; and

WHEREAS, the District desires at this time to request that the Contra Costa County Auditor enter the Tax on the tax roll for collection and distribution by the Contra Costa County Tax Collector for Fiscal Year 2021-22;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. **Recitals.** The foregoing recitals are true and correct.

Section 2. **Direction to County Auditor to Levy and Collect Tax for Fiscal Year 2020-21.** It is hereby certified that the proceedings in connection with the March 6, 2018 Tax election have been accomplished in accordance with law. As such, the Contra Costa County Auditor is directed to include the Tax on the tax rolls for Fiscal Year 2021-22 as follows: **\$723.68** for Improved Parcels, **\$139.94** for Unimproved Parcels, and **\$25,618.64** for the Diablo Country Club.

Section 3. **Not Special Benefit Assessment; No New Taxing Area.** The Tax is a special tax approved by more than two-thirds of the voters of the District voting on the measure, as authorized by California Constitution Article XIII A and 50075. The procedures applicable to special benefit assessments, fees and charges set forth in California Constitution Article XIII D do not apply to the Tax. In addition, the Tax shall be levied within the boundaries of the existing District. No new taxing area will be formed for purposes of the levy of the Tax.

Section 4. **Actions to Facilitate Levy of Tax.** The President of the Board of Directors is hereby authorized to take, for each fiscal year following 2021-2022, any such further actions as may be required to facilitate the successful levy and collection of the Tax in the District including, but not limited to, each year providing the County Auditor with a list of parcels upon which the Tax shall be levied, and to respond to any further requests of the County Auditor with respect to such Tax.

Section 5. **Collection.** The Tax shall be collected in the same manner as ordinary ad valorem taxes are collected and shall be subject to the same penalties and the same procedure, sale and lien priority in case of delinquency as is provided for ad valorem taxes, and the County

Auditory is hereby authorized to deduct reasonable administrative costs incurred in collecting any such special tax.

Section 6. **Effective Date.** This Resolution shall take effect on and after its adoption.

* * * * *

The foregoing Resolution was adopted by the Board of Directors of the Diablo Community Services District on May 11, 2021.

Adopted by the following votes:

AYES:

NOES:

ABSENT:

ABSTAIN:

Attest:

Kathy Urbelis, President of the Board

Kathy Torru, General Manager

Diablo Community Services District
FY 2022 Budget

| FY-June thru July | Actual | | 2022 Budget | | | | | Forecast | | | |
|---|----------------|------------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|
| | 2019-20 | 2020-21 | Q1 | Q2 | Q3 | Q4 | YTD | 2023 | 2024 | 2025 | 2026 |
| Beginning Cash | 343,468 | 947,010 | 597,590 | 322,107 | 658,553 | 535,562 | 597,590 | 784,944 | 646,152 | 791,705 | 851,112 |
| Revenue | | | | | | | | | | | |
| Ad valorem & Special tax | 781,494 | 796,615 | - | 450,148 | - | 368,303 | 818,450 | 840,453 | 863,052 | 886,263 | 910,104 |
| Other | 4,212 | 216 | 1,500 | 500 | - | 500 | 2,500 | - | - | - | - |
| Total Income | 785,706 | 796,831 | 1,500 | 450,648 | - | 368,803 | 820,950 | 840,453 | 863,052 | 886,263 | 910,104 |
| Expenses | | | | | | | | | | | |
| Security | 295,085 | 312,522 | 91,271 | 84,671 | 84,671 | 89,071 | 349,685 | 367,169 | 385,528 | 404,804 | 425,044 |
| Roads/bridges/culverts | 67,961 | 710,159 | 125,000 | 5,500 | 9,500 | 10,000 | 150,000 | 475,000 | 195,000 | 275,000 | 275,000 |
| Professional | (205,444) | 85,075 | 19,575 | 21,280 | 28,370 | 18,740 | 87,965 | 89,788 | 89,685 | 99,165 | 98,905 |
| Insurance | 18,269 | 48,961 | 41,087 | - | - | - | 41,087 | 41,087 | 41,087 | 41,087 | 41,087 |
| Administrative* | 4,152 | 2,000 | 50 | 2,750 | 450 | 1,610 | 4,860 | 6,200 | 6,200 | 6,800 | 6,800 |
| Total Expenses | 180,023 | 1,158,717 | 276,983 | 114,201 | 122,991 | 119,421 | 633,597 | 979,244 | 717,499 | 826,856 | 846,836 |
| Net Income* | 605,683 | (361,886) | (275,483) | 336,446 | (122,991) | 249,381 | 187,353 | (138,791) | 145,553 | 59,407 | 63,268 |
| Incr/(decr) in AP/Prepays | (2,141) | 12,466 | | | | | | | | | |
| Ending Cash | 947,010 | 597,590 | 322,107 | 658,553 | 535,562 | 784,944 | 784,944 | 646,152 | 791,705 | 851,112 | 914,380 |
| Other Financial Data | | | | | | | | | | | |
| Reserves (bridge/culvert) (Unfunded) | | 574,272 | | | | | 667,600 | 757,600 | 859,600 | 961,600 | 1,063,600 |

* excludes depreciation

STAFF REPORT

DATE: May 11, 2021
TO: DCSD Board Members
FROM: Kathy Torru, General Manager
RE: Proposed seal coat of certain District Roads

I. Background

The District is responsible for maintaining roads ("District Roads"), culverts and bridges within Diablo. The District's authority for performing this maintenance is derived from both the California State Community Services District law and the District's formation resolution.

Maintenance of District Roads includes applying a seal coat periodically to repair cracking and prevent water from compromising the road foundation. Industry standard recommends that a seal coat be applied every 5-7 years.

The District has determined that the following District Roads should be scheduled for a seal coat in FY2022, based on industry recommendations:

- Alameda Diablo - Diablo Rd to Caballo Ranchero
- Avenida Nueva
- Caballo Ranchero Ct.
- Caballo Ranchero Dr. - Alameda Diablo to second bump
- Calle Arroyo
- Calle Los Callados - Alameda Diablo to Avenida Nueva
- Casa Nuestra
- Club House - Alameda Diablo to Calle Arroyo
- El Nido
- La Cadena

II. Maintenance Proposals

Pursuant to Public Contract Code section 22002(d) and section 7.1(B) of the District's Ordinance Code, minor street resurfacing is considered maintenance work that does not require public bidding. The District obtained two proposals, from Dryco Construction Inc and Graham Contractors Inc., to install Type 2 Micro Surfacing, a type of seal coat, on the District Roads identified above. Dryco's proposal is \$117,847 and Graham's proposal is \$124,546. The work would be scheduled in August 2021 and take 2 days by Dryco and 4 days by Graham.

III. Recommendation

The Board should consider entering into a maintenance contract with Dryco Construction Inc. for \$117,847 to seal coat the District Roads identified above. Dryco's price is more competitive and Dryco has previously performed grind and pave work for the District in 2020 and 2016. The District was very satisfied with both projects.

**DIABLO COMMUNITY SERVICES DISTRICT
BOARD OF DIRECTORS MEETING
MINUTES
TELECONFERENCE VIA THE APPLICATION ZOOM
APRIL 13 2021 7:30 p.m.**

CALL TO ORDER: President Kathy Urbelis called the meeting to order at 7:30 p.m.
ROLL CALL: Secretary Jeff Eorio called the roll as follows:

Directors present: Urbelis, Becker, Eorio, Isom, Cox
Directors absent: None

Director Urbelis welcomed Directors and the general public and explained the rules for public comment.

PUBLIC COMMENTS: None

BOARD/STAFF COMMUNICATION AND ACTIONS:

ADMINISTRATIVE:

Kathy Torru, General Manager, presented the March 31st DCSD Financial Report. A copy of the Financial Report is attached as Exhibit A and is available for download on the District's website, www.diablocsd.org, under the Meetings & Financials Tab.

A draft FY 2021-22 Budget will be presented for discussion at the May 11th Board meeting.

ROADS:

Director Cox announced that two road slurry seal bid proposals had been received and are currently being reviewed. The road slurry seal project will be presented to the Board at the May 11th DCSD Regular Meeting for discussion and approval.

SECURITY:

Deputy Buergi reported no security issues in March.

Deputy Buergi reported that he had received resident complaints of minors driving golf carts and construction vehicles driving at high speeds within Diablo. *Golf cart drivers must have a valid driver's license to drive a golf cart on Diablo's streets.*

The District's new sheriff vehicle, a Chevrolet Tahoe, should be in service by the end of April.

CONSENT CALENDAR:

On motion of Director Eorio, second by Director Becker, the consent calendar as written was approved: adoption of Ordinance Code 2021-01-Bidding and Procurement Procedures (Exhibit B) and approval of the March 11th 2021 minutes:

| | |
|--------------|-----------------------------------|
| Ayes: | Urbelis, Becker, Eorio, Isom, Cox |
| Noes: | None |
| Abstentions: | None |
| Absent: | None |

REPORTS:

CONTRA COSTA COUNTY: None

DIABLO PROPERTY OWNERS REPORT: None

DIABLO COUNTRY CLUB: None

CALL OF NEXT MEETING/ADJOURNMENT:

The President called the next meeting for May 11th 2021. The meeting will be conducted via Zoom. There being no further business, the President adjourned the meeting at 7:43 p.m.

Diablo Community Services District by

Kathy Torru, General Manager

EXHIBIT A
Diablo Community Services District
Financial Report
March 31, 2021

| | July | August | September | October | November | December | January | February | March | Actual YTD | Budget YTD | Act vs Bud Variance |
|------------------------------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|------------------|------------------|---------------------|
| Beginning Cash | 988,097 | 942,365 | 869,726 | 831,318 | 210,837 | 126,517 | 524,264 | 485,127 | 451,198 | 988,097 | 988,097 | |
| Revenue | | | | | | | | | | | | |
| Tax Revenue | - | - | - | 12,134 | - | 433,052 | - | - | - | 445,186 | 435,841 | 9,345 |
| Other Revenue | 8 | 23 | 7 | 29 | - | 2 | 4 | 59 | 51 | 183 | 3,000 | (2,817) |
| Total Income | 8 | 23 | 7 | 12,163 | - | 433,054 | 4 | 59 | 51 | 445,369 | 438,841 | 6,528 |
| Expenses | | | | | | | | | | | | |
| Sheriff monthly services | 28,720 | 25,638 | 23,963 | 23,649 | 26,289 | 26,473 | 25,342 | 26,384 | 25,978 | 232,436 | 249,880 | (17,444) |
| Road/bridge/culvert/trail maint. | - | - | - | - | - | - | 1,632 | 1,632 | - | 3,264 | 13,000 | (9,736) |
| Road/bridge/culvert/trail projects | | 20,075 | 1,654 | 649,442 | 1,162 | 2,020 | | | 31,096 | 705,449 | 785,000 | (79,551) |
| Professional services | 10,445 | 6,564 | 6,800 | 7,370 | 3,711 | 4,171 | 4,954 | 16,729 | 4,448 | 65,192 | 82,550 | (17,358) |
| Insurance | 41,087 | (107) | - | - | - | - | 7,981 | - | - | 48,961 | 20,000 | 28,961 |
| Administrative | 391 | 587 | 21 | 21 | 21 | 1,936 | 556 | - | 300 | 3,833 | 4,940 | (1,107) |
| Total Expenses | 80,643 | 52,757 | 32,438 | 680,482 | 31,183 | 34,600 | 40,465 | 44,745 | 61,822 | 1,059,135 | 1,155,370 | (96,235) |
| Incr/(decr) in cash* | (80,635) | (52,734) | (32,431) | (668,319) | (31,183) | 398,454 | (40,461) | (44,686) | (61,771) | (613,766) | (716,529) | 102,763 |
| Incr/(decr) in payable | 34,903 | (19,905) | (5,977) | 47,838 | (53,137) | (707) | 1,324 | 10,757 | (1,821) | 13,275 | | |
| Ending Cash | 942,365 | 869,726 | 831,318 | 210,837 | 126,517 | 524,264 | 485,127 | 451,198 | 387,606 | 387,606 | 271,568 | |
| Other Financial Data | | | | | | | | | | | | |
| Accounts payable | 63,078 | 43,172 | 37,195 | 85,033 | 31,893 | 31,186 | 32,510 | 43,267 | 31,448 | | | |
| Depreciation expense | 755 | 755 | 755 | 714 | 714 | 714 | 714 | 714 | 714 | 6,549 | 6,547 | |
| Sheriff cruiser aset, net*** | 10,787 | 10,032 | 9,277 | 8,563 | 7,850 | 7,136 | 6,422 | 5,709 | 4,995 | | | |
| Reserves (bridge/culvert)** | 546,748 | 551,748 | 556,748 | 561,748 | 566,748 | 604,105 | 609,105 | 614,105 | 559,272 | | | |

* excludes depreciation

** reserves are unfunded

*** In March 2021 the Board voted to join the Sheriff ISF Leasing program and dispose of the District's vehicle in April 2021

ORDINANCE NO. 2021-01

**ORDINANCE OF THE DIABLO COMMUNITY SERVICES DISTRICT ADOPTING
BIDDING AND PROCUREMENT PROCEDURES**

WHEREAS, the Diablo Community Services District (the District) previously adopted Resolution No. 2021-01, electing to become subject to the Uniform Public Construction Cost Accounting Act (Pub. Contract Code section 22000 et seq., hereinafter “the Act”); and

WHEREAS, the Act establishes uniform cost accounting standards and procedures for implementation by local agencies in the performance of or contracting for construction of public projects; and

WHEREAS, pursuant to sections 22032(b) and 22034 of the Public Contract Code, the Act requires agencies that elect to be subject to its provisions to adopt certain bidding procedures that govern the selection of contractors to perform public projects; and

WHEREAS, Resolution 2021-01 requires the District to take all actions necessary to enact bidding procedures in accordance with the Act; and

WHEREAS, the District now desires to adopt the bidding procedures required by the Resolution 2021-01 and the Act; and

WHEREAS, the District also desires to adopt procedures governing the procurement of supplies, equipment, and services to complement the bidding procedures and to provide the District with a comprehensive procurement scheme; and

WHEREAS, adoption of these bidding and procurement procedures is not a “project” pursuant to California Environmental Quality Act Guidelines section 15378.8(b)(5).

NOW, THEREFORE THE DISTRICT DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1:

The above recitals are true and correct and are incorporated herein.

SECTION 2:

Ordinance No. 2021-01 attached hereto as Exhibit A is hereby added to the District’s Ordinance Code as Title 7.

SECTION 3:

This Ordinance No. 2021-01 shall take effect and be in force 30 days from the date of its passage, and before the expiration of 15 days after its passage, it or a summary of it shall be published in a newspaper of general circulation in Contra Costa County.

Passed, approved, and adopted by the Board of Directors of the Diablo Community Services District on this 13th day of April by the following vote:

AYES: Urbelis, Becker, Eorio, Isom, Cox

NOES: None

ABSTAIN: None

ATTEST:

Kathy Urbelis

Board President

ORDINANCE 2021-01 EXHIBIT A

TITLE 7

7.1 Bidding Procedures for Public Construction Projects

A. Purpose. The purpose of this section is to adjust the monetary limits for construction projects which can be carried out with administrative decisions, informal bids, and formal bids. It is the intent of the District that this Title 7 shall govern the selection of contractors by the District through the bidding procedures specified in Public Contract Code section 22000 et seq. – the Uniform Public Construction Cost Accounting Act (the “Act”).

B. Definitions. The definitions in Public Contract Code section 22000 et seq. and any statutory successors govern this section.

“Public Project” means any of the following: construction, reconstruction, erection, alteration, renovation, improvement, demolition, and repair work involving any District-owned, leased, or operated facility; and painting or repainting of any publicly owned, leased, or operated facility. A “public project” does not include maintenance work.

“Maintenance Work” means routine, recurring, and usual work for the preservation or protection of any publicly owned or publicly operated facility for its intended purposes; minor repainting; resurfacing of streets and highways at less than one inch; and landscape maintenance, including mowing, watering, trimming, pruning, planting, replacement of plants, and servicing of irrigation and sprinkler systems.

C. Contract Letting Procedures.

1. List of Qualified Contractors. The District shall maintain a list of qualified contractors identified according to categories of work in accordance with Public Contract Code section 22034.

2. No bidding required. Public Projects less than or equal to \$60,000 may be performed by the District, by negotiated contract, or by purchase order.

3. Informal bids. Public Projects \$200,000 or less shall be let by the informal bid procedures in Public Contract Code 23034.

a. Notice. At least 10 days before informal bids are due, a notice inviting informal bids shall be sent by mail, fax, or email to all contractors on the District’s list prepared in accordance with C.1 above for the category of work being bid, or all construction trade journals pursuant to Public Contract Code 22036, or both.

b. Authority to award. The General Manager may award all informal bids unless all bids received are in excess of \$200,000 in which case the District may, by adoption of a resolution by a four-fifths vote, award the contract at the amount set forth in Public Contract Code section 22034(d) if the District determines its cost estimate was reasonable.

4. Formal bids. Public Projects in excess of \$200,000 shall be let by the formal bid procedures in Public Contract Code 22037.

a. Notice. A notice inviting formal bids shall state the time and place for receiving and opening of sealed bids and distinctly describe the Public Project. The notice shall be published at least 14 days before the date of opening the bids in a newspaper of general circulation, printed and published in the jurisdiction of the public agency. The notice inviting formal bids shall also be emailed or faxed and mailed to all construction trade journals specified in Public Contract Code section 22036 at least 15 days before the date of opening the bids. In addition to notice required by this section, the District may give such other notice as it deems proper.

5. Award of informal and formal bids. If a contract is awarded, it shall be awarded to the lowest responsible bidder. If two or more bids are the same and the lowest, the District may accept the one it chooses. The District has the discretion to reject bids pursuant to Public Contract Code section 22038. If no bids are received through the formal or informal procedures, the Public Project may be performed by the District by force account or negotiated contract without further complying with the Act or this Title.

6. Emergencies. In the case of emergency when repairs or replacements are necessary, the District may proceed at once to replace or repair any public facility without adopting plans, specifications, strain sheets, or working details, or giving notice for bids to let contracts. The work may be done by day labor, contractor, or by a combination of the two. If the District chooses not to give notice for bids in an emergency, the District must follow all procedures in Public Contract Code 22050 and by four-fifths vote must make findings based on substantial evidence that the emergency will not permit a delay resulting from a competitive solicitation of bids and that the action is necessary to respond to the emergency.

7. Amounts subject to change. The monetary amounts listed in sections C.2, C.3, and C. 4 above may change as the Act is amended from time to time. The District shall at all times abide by the amounts listed in Public Contract Code sections 22032(a), (b), and (c), respectively.

7.2 Procurement Procedures

A. Purpose. In order to establish efficient procedures for the purchase of supplies, equipment, and services; secure supplies, equipment, and services at the lowest possible

cost commensurate with quality, and exercise positive financial control over purchases, the District adopts these procurement procedures.

B. Definitions.

“Design Professional Services” mean architectural, landscape architectural, environmental, engineering, land surveying, or construction project management services which are subject to the procurement requirements of Article XXII of the California Constitution, and Government Code § 4529.10, et seq.

“Purchasing Agent” means the General Manager or his/her designee who is responsible for procuring supplies, equipment, and services pursuant to these procedures.

“RFP” means a Request for Proposals transmitted to qualified vendors.

“RFQ” means a Request for Qualifications transmitted to potentially qualified vendors to evaluate qualifications for providing required services.

C. Purchasing Agent Authority. The Purchasing Agent has the authority to procure or contract for supplies, equipment, and services in accordance with these procedures; negotiate and recommend execution of contracts; supervise and inspect all supplies and equipment purchased; maintain a list of qualified vendors or bidders; and recommend amendments to these procedures.

D. Supplies and Equipment. Supplies and equipment will be procured as follows:

1. Minor Purchases. The Purchasing Agent may make individual purchases of supplies and equipment not exceeding \$5,000 with the approval of the Board president.

2. Informal Quotes. The Purchasing Agent may make individual purchases of supplies and equipment exceeding \$5,000 but less than \$10,000 after soliciting price quotes from at least three qualified vendors and with the approval of the Board president.

3. Competitive Proposals. For individual purchases of \$10,000 or more, the Purchasing Agent must solicit quotes from at least five qualified vendors and obtain approval of the Board prior to purchase, except to the extent that the Board has already delegated or authorized the Purchasing Agent to make the purchase.

E. General Services. Procurement of services other than design professional services, including consulting and engineering services, will be procured as follows:

1. Minor Services. For service contracts that will not exceed \$5,000, the Purchasing Agent may make an award to a qualified vendor for a reasonable price or rate with the approval of the Board president.

2. Informal Quotes. For service contracts exceeding \$5,000 but less than \$10,000, the Purchasing Agent may make an award to a qualified vendor that offers the best overall value to the District after soliciting quotes or informal proposals from at least three qualified vendors with the approval of the Board president.

3. Competitive Proposals. For services contracts of \$10,000 or more, the Purchasing Agent must use a fair and competitive proposal process to award, which may involve an RFP or solicitation of proposals from an adequate number of qualified vendors. The Purchasing Agent must obtain approval of the Board prior to award, except to the extent that the Board has already delegated or authorized the Purchasing Agent to make the award.

F. Design Professional Services. Procurement of design professional services is subject to compliance with Article XXII of the California Constitution; Government Code section 4529.10, et seq.; and the following requirements:

1. Fair Competitive Process. An RFQ, RFP, or combined RFQ/RFP procedure should be used to procure design professional services to ensure a fair, competitive selection process based on the demonstrated competence and professional qualifications necessary for the services. The RFP, RFQ, or RFP/RFQ must require compliance with all laws regarding political contributions, conflict of interest, or unlawful activities.

2. Prevailing Wages. If the services include pre-construction services such as inspection or land surveying work (see Labor Code § 1720(a)(1)), and the project cost exceeds \$1000, the procurement must comply with prevailing wage requirements.

3. Award. If the design professional services contract exceeds \$10,000, the Purchasing Agent must obtain approval of the Board prior to award, except to the extent that the Board has already delegated or authorized the Purchasing Agent to make the award.

G. Emergency Procurements. In the event of an emergency or threatened emergency, services or good may be procured without following the applicable procurement procedures, but only to the extent necessary to avoid delay in preventing or mitigating injury or damage. For purposes of these procurement procedures, an emergency includes any sudden, unexpected occurrence that poses a clear and imminent danger and requires immediate action to prevent or mitigate the loss or impairment of life, health, property, or essential public services, as declared by the Board or its General Manager.