

Sacramento Suburban Water District

Public Works Contracting Policy

Adopted: December 20, 2004

Revised: December 15, 2008

Introduction

Under sections 31005 and 31049 of the California Water Code, County Water Districts may contract for the construction of public works projects. Under these provisions, the Sacramento Suburban Water District has broad discretion to contract for the construction of public works. The Board of Directors desires to provide its ratepayers the best value for the revenues spent on public works projects within the District. In determining best value, District will develop procedures that will include the following, as appropriate:

- Contractor Qualifications
- Quality of Service
- Quality of Product
- Schedule
- Acceptable Contract Terms
- Contractor's Reputation, History, and/or Performance on Similar Projects
- District Costs of Contract Management

The Board of Directors wishes to maintain flexibility for staff to contract District public works projects. Also, the Board desires to treat contractors working for the District in a fair and equitable manner, to ensure that the ratepayers procure the highest quality projects for the lowest possible cost and with the least likelihood of contractor claims or bid protests. Methods of awarding contracts to perform public works projects shall be open and defensible to the District's ratepayers. Procedures developed for this policy will ensure proper District/contractor relationships.

Depending on the circumstances driving the need for a public works project, District staff may use a variety of methods to contract for that project. These methods may include, but are not limited to, the following:

- Design/Build Contracting
- Emergency Contracting
- Force Account Contracting
- Open Bid Contracting
- Pre-Qualification Bid Contracting
- Request for Qualifications and Expression of Interest and/or Request for Proposal

- Sole Source Contracting
- Solicitation of Price Quotes

The General Manager has the discretion to authorize staff to choose the appropriate contracting method, taking into consideration the project's requirements, available funds, effects on ratepayers, impacts on District operations, and applicable legal and regulatory requirements. Staff will document the reasons for choosing a particular contracting method and when appropriate, report them to the Board.

1.0 Purpose

The primary purpose of this policy is to provide the District's ratepayers the best value for public works contracts let by the District. Staff will utilize the method of contracting that best meets the District's needs. Whenever appropriate, the District will utilize generally accepted methods to acquire competitive pricing to achieve this objective. Specific procedures for obtaining competitive pricing from competing contractors will be developed by District staff and used as appropriate.

2.0 Authority

The General Manager is designated as the District's contracting officer with the authority to award and execute contracts binding the District to the construction of public works projects. Board approval of contracts is required when contract amounts exceed the purchasing authority of the General Manager as specified in the District Procurement Policy or the annual approval of the Capital Improvement Program (CIP) budget. The General Manager will have the authority to appoint one or more designees to act on his/her behalf, as required, subject to this policy and to the establishment of proper procedures and controls governing such designees' authority. The Board, at its discretion, may direct the manner in which a particular public works contract is selected and/or awarded. The Board may delegate actions under this policy to a Board committee.

3.0 Procedure

District staff will develop procedures for each method of contracting, to be approved by the General Manager, and in conformance with this policy. Procedures will be reported to the Board of Directors at a public meeting.

4.0 Incorporation of Sustainability Policy

Whenever prudent and permitted by law, staff will incorporate the applicable principles of the District's Sustainability Policy into the bid procedures and the projects constructed in accordance with this Public Works Contracting Policy.

5.0 Policy Review

This Policy will be reviewed at least biennially.