

## SBCAG STAFF REPORT

**SUBJECT:** Purchasing Policy Update

**MEETING DATE:** December 17, 2020

**AGENDA ITEM:** 4C

**STAFF CONTACT:** Martha Gibbs and Haley DePass

**RECOMMENDATION:**

Adopt Resolution 20-30 which approves and adopts updates to the Purchasing Policy and affirms Resolution 17-39 delegating authority to the Executive Director, or designee, to act as SBCAG's Purchasing Officer in accordance with SBCAG purchasing policy and further gives the Purchasing Officer the authority to make administrative changes to the policy, upon review and approval by legal counsel.

**DISCUSSION:**

On November 16, 2017 the Board of Directors, through resolution 17-39, approved the first edition of the SBCAG Purchasing Policy. This policy has served to document and provided guidelines, procedures, thresholds and approval protocol for staff. This was a much need tool SBCAG staff lacked previously. After working with this policy, staff has identified the need to incorporate several administrative changes into the policy. Many of the changes proposed add further clarity to our purchasing practices for both staff and individuals wishing to do business with SBCAG. In addition, changes have been made to reflect updated federal procurement thresholds, adds language that allows SBCAG to "piggyback" on procurement efforts completed by other public agencies, and formalizes a policy for accepting donations. In summary, the attached policy has been updated to include the following:

- A threshold requiring a formal bid process when Local funds or a blend of State and Local funds exceed \$10,000;
- A threshold requiring an informal bid process when using Federal Funds to contract between \$150,000 to \$250,000;
- An exception to the bidding process that allows SBCAG to utilize other public agency procurements to satisfy the formal bid requirement;
- Determination of "most qualified" or "best value" when procuring professional services;
- Formalizes a policy for donations of equipment and cash; and
- Formalizes utilization of credit card purchases.

By approving the attached Resolution 20-30, the Board of Directors will agree to implement the updates within this purchasing policy and give the Purchasing Officer the authority to implement necessary administrative changes to the policy, upon review and approval by legal counsel.

*The recommended actions are not a project under the California Environmental Quality Act (CEQA) pursuant to section 15378 of the CEQA Guidelines.*

**COMMITTEE REVIEW:** None

**FISCAL IMPACT:** None

**ATTACHMENT:**

A – SBCAG Purchasing Policy Update 2020 (web posting only)

B – Resolution 20-30

# ATTACHMENT B

## RESOLUTION OF THE SANTA BARBARA COUNTY ASSOCIATION OF GOVERNMENTS

ADOPT AN UPDATED PURCHASING POLICY AND  
AFFIRM THE EXECUTIVE DIRECTOR TO ACT AS  
THE PURCHASING OFFICER IN ACCORDANCE  
WITH THE ADOPTED PURCHASING POLICY

RESOLUTION NO. 20-30

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WHEREAS the Santa Barbara County Association of Governments desires to clearly define authority for the purchasing function by establishing procedures for contracting for goods, services, and public projects; and

WHEREAS the Santa Barbara County Association of Governments is established under a joint powers agreement executed by each of the incorporated cities and the County; and

WHEREAS the Santa Barbara County Association of Governments has been designated by the Governor as the Metropolitan Planning Organization (MPO) for Santa Barbara County pursuant to 23 U.S. Code Section 134 and, as such, has been given the responsibility to conduct the metropolitan transportation planning process required by Title 23, Code of Federal Regulations (CFR) Part 450 and Title 49, CFR Part 613; and

WHEREAS the Santa Barbara County Association of Governments receives funding allocations as the Council of Governments under Section 29532 of the California Government Code; and

WHEREAS the Santa Barbara County Association of Governments has been designated as the Local Transportation Authority and charged with the responsibility of carrying out the purposes and directives of the Local Transportation Authority and Improvement Act, commencing with Section 180000 of the California Public Utilities Code; and

WHEREAS Ordinance No. 1, Section 4E, authorizes SBCAG to, in conformity with the adopted expenditure plan, contract subject to Public Contracts Code and/or any of the provisions for public employment of professional services for agencies, for the planning, finance, approval, design, construction, maintenance, control and repair of any road or highway facilities; and

WHEREAS Ordinance No. 3, Section 8(d)(9), authorizes the Executive Director to approve disbursement of funds of the Local Transportation Authority consistent with the annual budget of the Transportation Authority; and

WHEREAS The Executive Director, pursuant to Ordinance No. 3, Section 8(d)(10) shall have such other duties, powers and responsibilities as may from time to time be assigned by the Transportation Authority; and

WHEREAS Ordinance No. 3, Sections 29 and 30 authorize the Transportation Authority to enter contracts for acts necessary and convenient and for special services in accordance with California Public Utilities Code section 180152; and

WHEREAS Ordinance No. 5, Section 16 authorizes SBCAG to engage, contract with, employ and compensate any public or private agency, party, contractor or professional, in accordance with the Public Contracts Code and/or any of the provisions for public employment of professional services for public agencies for the planning, finance, approval, design, construction, acquisition of right of way, maintenance, operation, control and repair of any road, highway, bus, rail or other transportation facility; and

WHEREAS on November 16, 2017, Resolution 17-39 designated the Executive Director to act as the SBCAG's Purchasing Officer in accordance with the SBCAG purchasing Policy, and

WHEREAS staff has identified the need to administratively update the policy to further refine and clearly define our purchasing practices for both staff and individuals wishing to do business with SBCAG. More specifically the policy has been updated to include the following:

1. A threshold requiring a formal bid process when Local funds or a blend of State and Local funds exceed \$10,000;
2. A threshold requiring an informal bid process when using Federal Funds to contract between \$150,000 to \$250,000;
3. An exception to the bidding process that allows SBCAG to utilize other public agency procurements to satisfy the formal bid requirement;
4. Determination of "most qualified" or "best value" when procuring professional services;
5. Formalizes a policy for donations of equipment and cash; and
6. Formalizes utilization of credit card purchases.

NOW, THEREFORE, IT IS HEREBY RESOLVED THAT the Santa Barbara County Association of Governments adopts the changes made to the 2017 purchasing policy.

IT IS FURTHER RESOLVED THAT the Santa Barbara County Association of Governments affirms its authorization and delegation of authority to its Executive Director to act as the Purchasing Officer through Resolution 17-39 for the period of November 16, 2017 through November 16, 2027.

IT IS FURTHER RESOLVED THAT the Purchasing Officer is authorized to award a contract of up to \$50,000 or less when the Board of Directors has appropriated funds for the item(s) and the amount of the award is not more than the appropriated amount as described in the policy.

IT IS FURTHER RESOLVED THAT the Purchasing Officer is authorized to sell or dispose of surplus personal property in accordance with the purchasing policy.

IT IS FURTHER RESOLVED THAT the Purchasing Officer is authorized to accept donations of cash and non-cash in accordance with the purchasing policy.

IT IS FURTHER RESOLVED THAT the Purchasing Officer has the authority to make administrative changes to the purchasing policy, upon review and approval by legal counsel.

PASSED AND ADOPTED this 17th day of December 2020 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

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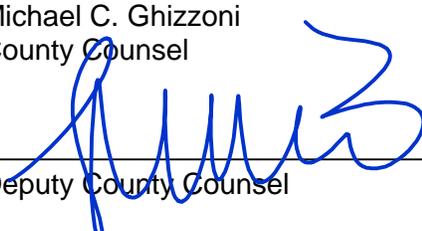
Terry Contreras  
Clerk of the Board

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Gregg Hart, Chair  
Santa Barbara County Association  
of Governments

APPROVAL AS TO FORM:

Michael C. Ghizzoni  
County Counsel



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Deputy County Counsel