

**Resolution No. 17-05
of the
San Mateo County Harbor District
to
Rescind Chapter 2.35 of the Ordinance Code
Contracting and Purchasing Procedures, and Adopt
Revised and Restated Policy 4-3-1 Purchasing and Procurement**

Whereas, Harbors and Navigation Code Sections 6075 and 6077.5 authorize the San Mateo County Harbor District (District) to construct, operate, and maintain facilities within its jurisdiction; and

Whereas, Public Contract Code Section 20723 requires a competitive bidding process for contracts for construction, alteration, repair, or improvement of a public structure; and

Whereas, California Public Contract Code Section 22050 specifies that, by a fourth-fifth's vote, the governing body of a public agency may delegate authority to the general manager to repair or replace a public facility in the event of an emergency, take any required action to respond to the emergency, and procure the required equipment, services, and supplies for those purposes, without the competitive bidding process that would ordinarily apply; and

Whereas, the District's Purchasing Policy was last revised nineteen years ago; and

Whereas, the District desires to adopt a revised and restated purchasing and procurement policy to ensure fairness and equitable treatment for all vendors seeking to deal with the District, to foster maximum free and open competition in the expenditure of public funds, to maintain procurement policies and procedures that comply with law and regulations, to instill public confidence in the District's procurement process, to promote economic efficiency, and to streamline administration of District procurements; and

Whereas, staff recommends rescinding Chapter 2.35 of the District Ordinance Code to remove any redundancy and conflict with the proposed and updated policy.

Now, Therefore, Be It Resolved, that the Board of Harbor Commissioners (Board) of the San Mateo County Harbor District rescinds Chapter 2.35, Contracting and Purchasing Procedures, of the San Mateo County Harbor District Ordinance Code; and

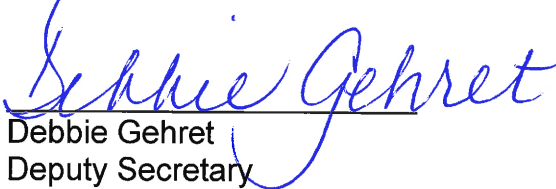
Be It Further Resolved, that the Board delegates to the General Manager authority to take all necessary and proper measures in emergency conditions to keep District services and facilities operational. When emergency conditions do not permit a delay resulting from a competitive solicitation for bids, the General Manager is authorized to make emergency purchases without giving notice for bids. The General Manager must report any such emergency actions to the Board pursuant to the procedures of Public Contract Code 22050; and

Be It Further Resolved, that the Board adopts the attached revised and restated San Mateo County Harbor District Purchasing and Procurement Policy 4-3-1.


Approved this 17th day of May 2017, at the regular meeting of the Board of Harbor Commissioners by a recorded vote as follows:

For: Bernardo, Brennan, Larenas, Mattusch
Against: None
Abstain: None
Absent: Chang Kiraly

Attested


Debbie Gehret
Deputy Secretary

BOARD OF HARBOR COMMISSIONERS


Tom Mattusch
President