

Programs & Administration Committee

Dianne Martinez, **Chair**
City of Emeryville

Melissa Hernandez, **Vice Chair**
City of Dublin

David Haubert, County of Alameda

Trish Herrera Spencer, City of Alameda

Preston Jordan, City of Albany

Susan Wengraf, City of Berkeley

Jenny Kassan, City of Fremont

Mike Hannon, City of Newark

Shelia Young, Oro Loma Sanitary District

Jen Cavanaugh, City of Piedmont

Jack Balch, City of Pleasanton

Jaime Patiño, City of Union City

Timothy Burroughs, Executive Director

AGENDA
ALAMEDA COUNTY WASTE
MANAGEMENT AUTHORITY MEETING
OF THE
PROGRAMS AND ADMINISTRATION COMMITTEE

Thursday, April 14, 2022

9:00 A.M.

TELECONFERENCE MEETING

Teleconference/Public Participation Information to Mitigate the Spread of COVID-19.

This meeting will be held entirely by teleconference. All Board members, staff, and the public will only participate via the Zoom platform using the process described below. The meeting is being conducted in compliance with the recent amendments to the Ralph M. Brown Act suspending certain teleconference rules due to the ongoing state of emergency and state and local health officials recommendations to maintain social distancing. The purpose of these amendments was to provide the safest environment for the public, elected officials, and staff while allowing for continued operation of the government and public participation during the COVID-19 pandemic.

Members of the public and staff who are not presenting an item may attend and participate in the meeting by:

1. Calling US: +1 669 900 6833 and using the Webinar ID: 822 8235 7688
2. Using the [Zoom](#) website or App and entering meeting code 822 8235 7688

Board members and any other individuals scheduled to speak at the meeting will be sent a unique link via email to access the meeting as a panelist. All Board members MUST use their unique link to attend the meeting. During the meeting the chair will explain the process for members of the public to be recognized to offer public comment. The process will be described on the StopWaste website at <http://www.stopwaste.org/virtual-meetings> no later than 5:00 p.m., Wednesday, April 13, 2022. The public may also comment during the meeting by sending an e-mail to publiccomment@stopwaste.org prior to the close of public comment on the item being addressed. Each e-mail will be read into the record for up to three minutes.

In accordance with the Americans with Disabilities Act and the recent amendments to the Ralph M. Brown Act, if you need assistance to participate in this meeting due to a disability, please contact the Clerk of the Board at (510) 891-6517. Notification 24 hours prior to the meeting will enable the agency to make reasonable arrangements to ensure accessibility to this meeting.

AGENDA

I. CONVENE MEETING

II. ROLL CALL OF ATTENDANCE

III. PUBLIC COMMENTS

Open public discussion from the floor is provided for any member of the public wishing to speak on any matter within the jurisdiction of the Programs & Administration Committee, but not listed on the agenda. Each speaker is limited to three minutes unless a shorter period of time is set by the Chair.

Page IV. CONSENT CALENDAR

1 1. Approval of the Draft Minutes of March 10, 2022

5 2. Resolution regarding meeting via teleconference to promote social distancing, pursuant to AB 361

Adopt Resolution #PA 2022-05.

V. REGULAR CALENDAR

9 1. Revisions to the Agency's Purchasing Policy (Timothy Burroughs & Pat Cabrera) That the Programs and Administration Committee approve the revised purchasing policy and forward to the WMA Board for adoption.

VI. MEMBER COMMENTS

VII. ADJOURNMENT – to May 12, 2022

The Programs & Administration Committee is a Committee that contains more than a quorum of the Board. However, all items considered by the Committee requiring approval of the Board will be forwarded to the Board for consideration at a regularly noticed Board meeting.

DRAFT

**MINUTES OF THE ALAMEDA COUNTY WASTE
MANAGEMENT AUTHORITY MEETING
OF THE
PROGRAMS AND ADMINISTRATION COMMITTEE**

Thursday, March 10, 2022

9:00 A.M.

TELECONFERENCE MEETING

Members Present:

County of Alameda

City of Alameda

City of Albany

City of Berkeley

City of Dublin

City of Fremont

City of Newark

Oro Loma Sanitary District

City of Piedmont

City of Pleasanton

City of Union City

David Haubert

Trish Herrera Spencer

Preston Jordan

Susan Wengraf

Melissa Hernandez, Vice Chair

Jenny Kassan

Mike Hannon

Shelia Young

Jen Cavanaugh

Valerie Arkin (alternate)

Jaime Patiño

Absent:

City of Emeryville

Dianne Martinez, Chair

Staff Present:

Timothy Burroughs, Executive Director

Pat Cabrera, Administrative Services Director

Jeff Becerra, Communications Manager

Justin Lehrer, Operations Manager

Adrienne Ramirez, Assistant Clerk of the Board

Arliss Dunn, Clerk of the Board

Other's Participating:

Erick Nylund, Crowe, LLP

Jason Chan, Crowe, LLP

I. Convene Meeting

Vice Chair Melissa Hernandez called the meeting to order at 9:03 a.m. Timothy Burroughs explained the process that would be utilized during the meeting. A link to the process is available here: [Virtual-Meetings-Instructions](#).

II. Public Comments

There were no public comments on the remote call and no public comments were received via the public comments email address.

III. CONSENT CALENDAR

1. Approval of the Draft Minutes of February 10, 2022

2. Resolution regarding meeting via teleconference to promote social distancing, pursuant to AB 361 Adopt Resolution #PA 2022-03.

There were no public comments for the Consent Calendar. Board member Wengraf moved approval of the Consent Calendar and Board member Young seconded. The motion carried 11-0. The Clerk called the roll:

(Ayes: Arkin, Cavanaugh, Hannon, Haubert, Hernandez, Jordan, Kassan, Patiño, Spencer, Wengraf, Young. Nays: None. Abstain: None. Absent: Martinez)

IV. REGULAR CALENDAR

1. Rules of Procedure for Teleconferencing at Waste Management Authority and Committee Meetings (Timothy Burroughs)

Adopt Resolution #PA 2022-04 to recommend that the WMA Board remove the limit on the number of Board members who may utilize teleconferencing for Board and Committee meetings, and that this amendment to the Rules of Procedure be approved on an interim basis, until the end of calendar year 2022.

Timothy Burroughs provided an overview of the staff report. A link to the report is available here: [Teleconferencing-Rules-of-Procedure-memo.pdf](#). Richard Taylor, Authority Counsel, was present to answer any questions. Additional time was provided to the Committee for discussion and clarifying questions. An audio link to the discussion is available here: [Teleconference-Rules-of-Procedure-Discussion](#)

Board member Jordan asked for clarification regarding compliance with ADA (Americans with Disabilities Act) and accessibility for remote meetings. Mr. Taylor confirmed that remote meeting locations should be accessible to people with disabilities. Board member Young suggested conducting a short survey of the full Board to find out how many would attend in-person meetings and to also consider the additional work for the Clerk of the Board in posting the teleconference locations on the agenda. Board members thanked staff for their forethought and were supportive of the recommendation. There were no public comments on this item.

Board member Cavanaugh moved approval of the staff recommendation to forward the item to the WMA Board for consideration. Board member Wengraf seconded and the motion carried 9-0. The Clerk called the roll. (Ayes: Arkin, Cavanaugh, Haubert, Hernandez, Herrera Spencer, Jordan, Kassan, Wengraf, Young. Absent: Hannon, Patiño, Martinez)

DRAFT

2. Core Fund Balance and Reserve Analysis (Pat Cabrera)

This item is for information only. Staff will continue to prepare and present annual fiscal forecasts using newly developed models and advise the Boards of any changes in disposal trends which would require significant changes to Agency expenditures and/or revenues.

Timothy Burroughs introduced the item and Pat Cabrera provided an overview of the staff report and presented a PowerPoint presentation. A link to the report and the presentation is available here: [Fiscal-Forecast-Update-memo.pdf](#). Erick Nylund and Jason Chan, Crowe LLP, were present to answer any questions. Ms. Cabrera acknowledged staff, Jennifer Luong, Financial Services Manager; Meghan Starkey, Senior Management Analyst; and Nisha Patel, Management Analyst, for their efforts in working with Crowe. Additional time was provided to the Committee for discussion and clarifying questions. An audio link to the discussion is available here: [Fiscal-Forecast-Discussion](#)

Board member Cavanaugh expressed appreciation to staff for their responsiveness and leadership on this project and added she is pleased to see that the Agency has policies in place to address our fiscal management. Board Member Young asked that staff provide a copy of the presentation to the Committee. There were no public comments on this item.

V. MEMBER COMMENTS

Vice Chair Hernandez thanked Board member Arkin for attending in the absence of Board member Balch.

VI. ADJOURNMENT – to April 14, 2022 at 9:00 a.m.

The meeting adjourned at 9:46 a.m.

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DATE: April 14, 2022

TO: Programs & Administration Committee

FROM: Timothy Burroughs, Executive Director

SUBJECT: Resolution regarding meeting via teleconference to promote social distancing, pursuant to AB 361

SUMMARY

On September 16, 2021, the Governor signed into law as an urgency measure, AB 361 (Rivas), which allows local legislative bodies to continue to meet by teleconference in order to promote public health and safety, subject to certain conditions, which must be reconsidered every 30 days. At its April 14, 2022, meeting, the Programs & Administration Committee will consider a resolution to approve and direct the continued use of teleconferencing for its public meetings to enable social distancing, as long as the findings required by AB 361 are met and other provisions of the Brown Act are followed.

DISCUSSION

In light of the continued state of emergency declared by the Governor related to COVID-19, state and local officials have imposed or recommended measures to promote social distancing. This direction from state and local health officials is based on the increased safety protection that social distancing provides as one method to reduce the risk of COVID-19 transmission.

The state of emergency and associated direction from state and local health officials to promote social distancing continues to impact the ability for the Programs & Administration Committee to meet safely in person. The direction from public health officials that informs the findings in the attached resolution has not changed. Therefore, staff recommends that the Committee approve the attached resolution to direct the continued use of teleconferencing for its public meetings to enable social distancing, as long as the findings required by AB 361 are met and other provisions of the Brown Act are followed. The Committee will need to revisit the need to conduct meetings remotely at least every 30 days following adoption of the attached resolution.

RECOMMENDATION

Adopt resolution #PA 2022-05.

**PROGRAMS & ADMINISTRATION COMMITTEE
RESOLUTION #PA 2022-05**

**MOVED:
SECONDED:**

AT THE MEETING HELD April 14, 2022

WHEREAS, in response to the COVID-19 pandemic, the Governor adopted a series of Executive Orders allowing the legislative bodies of local governments to meet remotely via teleconference so long as other provisions of the Brown Act were followed; and

WHEREAS, on September 16, 2021, the Governor signed into law as an urgency measure, AB 361, which allows for the continued use of remote meetings by local legislative bodies subject to certain conditions, which must be reconsidered every 30 days; and

WHEREAS, the Programs & Administration Committee has considered the current state of health guidance related to public meetings in Alameda County and finds it necessary to continue with remote meetings to promote public health and safety.

NOW THEREFORE BE IT RESOLVED, that the Programs & Administration Committee approves and directs the continued use of teleconferencing for its public meetings based on the following findings required by Government Code Section 54953(e), as amended by AB 361:

- The entire State of California remains under a proclaimed state of emergency as declared by the Governor of the State of California related to the COVID-19 pandemic.
- State and local officials have imposed or recommended measures to promote social distancing. For example, on September 23 the Alameda County Health Care Services Agency Director recommended social distancing at all meetings of the Board of Supervisors and its committees. This recommendation is consistent with the Division of Occupational Safety and Health of California's (Cal/OSHA) Emergency Temporary Standards, which require employers to train and instruct employees that the use of social distancing helps combat the spread of COVID-19 (8 Cal. Code Regs. 3205(c)(5)(D).).
- The state of emergency continues to directly impact the ability to meet safely in person. For example, given the constraints of the Program & Administration Committee's available meeting spaces, social distancing is difficult without severely limiting space for members of the public to attend.
- The Committee anticipates this resolution will appear on its consent calendar for review and ratification or update at each regular Committee meeting for as long as the Governor's proclaimed state of emergency related to the COVID-19 pandemic remains in effect and the Committee desires to continue remote public meetings.

BE IT FURTHER RESOLVED, that:

1. Programs & Administration Committee meetings will continue to be conducted remotely for the next 30 days in compliance with AB 361, to better ensure the health and safety of the public.
2. The Programs & Administration Committee will reconsider the circumstances of the state of emergency and the need to conduct meetings remotely at least every 30 days following adoption of this resolution.
3. If the Committee determines the need still exists at each 30-day mark, the determination will be ratified by a vote of the Committee documented in the minutes of that meeting.

Passed and adopted this 14th day of April 2022 by the following vote:

AYES:

NOES:

ABTAIN:

ABSENT:

Arliss Dunn, Clerk of the Board

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DATE: April 14, 2022

TO: Programs and Administration Committee

FROM: Timothy Burroughs, Executive Director
Pat Cabrera, Administrative Services Director

SUBJECT: Revisions to the Agency's Purchasing Policy

SUMMARY

At the April 14, 2022, Programs and Administration (P&A) Committee meeting, staff will recommend approval of revisions to the Agency's purchasing policy – specifically, changes to the Executive Director's expenditure authorization and specific bidding requirements.

DISCUSSION

The Executive Director currently has authority to approve contracts, purchase orders or other expenditures of funds to any one vendor or consultant up to \$50,000 per fiscal year; expenditures in excess of this amount require additional Board approval. These approval requests are generally done during the budget process or midway through the fiscal year.

The last such request was made at the December 9, 2021, P&A Committee meeting. At that meeting, the Committee reviewed the list of contractors and/or vendors and recommended WMA Board approval, which occurred at the December 15, 2021, WMA meeting. Also at that meeting, Board member Young suggested that the Board consider increasing the Executive Director's authorization limit to \$75,000 or \$100,000, since it has been several years since the threshold was increased. Board member Hannon requested that a survey of other local agencies be conducted for comparison purposes.

Staff conducted a survey of local jurisdictions to determine if there was a standard threshold and found that amounts vary, although there were several agencies that had at least a \$100,000 threshold (see Attachment 3).

Staff recommends changing the Executive Director's authorization threshold to \$100,000 (from \$50,000). Increasing the Executive Director's authorization will increase efficiency as there will be less need to prepare mid-year contract/vendor authorizations. Furthermore, the Committee has consistently approved forwarding the authorization list to the WMA Board. Therefore, this change will also free up time for the Committee to focus on more substantive issues.

In addition to surveying the authorization threshold, the survey also included gathering data on bidding requirements, as the Agency's bidding levels have not been increased since 1998 (while the Executive Director's authorization was increased from \$15,000 to \$50,000 in 2009, the other limits remained the same).

The survey showed variations in the thresholds regarding no bid, informal, and formal bidding for non-construction projects. The proposed thresholds are designed to increase efficiency while still ensuring that the Agency exercises due diligence in the expenditure of public funds. As outlined in the attached resolutions, the proposed changes are as follows:

- Change no bidding required to \$10,000 (from \$3,000)
- Change informal bidding (quotes) to \$30,000 (from \$15,000)
- Purchases over \$30,000 would require a formal bidding process
- Increasing emergency authorization (e.g., during a natural disaster) to \$200,000 (from \$100,000)
- Changes to the local preference policy to coincide with the changes to the purchasing policy

With respect to the local preference policy, staff is researching options for further expansion of this policy to specifically include women and minority owned business. Upon completion of this research and if feasible, staff will propose changes to this policy at a future date.

RECOMMENDATION

That the Programs and Administration Committee approve the revised purchasing policy and forward to the WMA Board for adoption.

Attachments:

Attachment 1: Purchasing Policy resolution (redlined)

Attachment 2: Purchasing Policy resolution (no redline)

Attachment 3: Survey of member agencies and other local jurisdictions

ATTACHMENT 1

ALAMEDA COUNTY WASTE MANAGEMENT AUTHORITY

RESOLUTION #WMA ~~2009-05~~ 2022-XX

MOVED: ~~Wile~~
SECONDED: ~~Henson~~

AT THE MEETING HELD ~~NOVEMBER 18, 2009~~ APRIL 27, 2022

**THE AUTHORITY AUTHORIZES A REVISION TO THE POLICY REGARDING
PURCHASING APPROVALS AND REVISIONS TO THE LOCAL PREFERENCE POLICY**

WHEREAS, resolution 98-9 established a purchasing policy which was revised on November 18, 2009 ; and,

WHEREAS, this purchasing policy required certain bid procedures; and,

WHEREAS, this policy also established an expenditure approval limit for the Executive Director by which he or she can approve expenditures without Board approval; and,

WHEREAS, this limit has not been raised since ~~1998~~ 2009; and,

WHEREAS, this limit is low compared to several member agencies and similar regional agencies; and,

WHEREAS, raising this limit would create more operational efficiency by reducing excess and unnecessary paperwork; and,

WHEREAS, this revision was approved by the ~~Administration and Organization~~ Programs and Administration Committee at its meeting held ~~October 7, 2009~~ April 14, 2022; and

WHEREAS, this policy now supersedes Resolution No. ~~98-9~~ 2009-05.

NOW, THEREFORE, BE IT RESOLVED, that the Alameda County Waste Management Authority approves the following policy for implementation as of ~~November 18, 2009~~ April 27, 2022:

1. The Executive Director (or designee) is authorized to approve annual expenditures from agency funds authorized in the budget up to \$~~50,000~~ 100,000. Annual expenditures in excess of \$~~50,000~~ 100,000 must be approved by the Board. Annual expenditures are defined as cumulative expenditures per vendor or contractor per fiscal year.
2. Annual expenditures ~~less than \$3,000~~ up to \$10,000 require no bidding process.
3. Annual expenditures ~~between \$3,000 and \$15,000~~ over \$10,000 to \$~~15,000~~ 30,000 normally require three informal bids. However, with acceptable justification, a ~~source~~ sole source vendor or contractor may be approved by the Executive Director for these amounts.
4. Annual expenditures greater than \$~~15,000~~ 30,000 normally require a formal bid process. However, with acceptable justification, a ~~source~~ sole source vendor or contractor may be approved by the Executive Director for amount greater than \$~~15,000~~ 30,000 up to \$~~50,000~~ 100,000.

5. In an emergency situation, such as a natural disaster, the Executive Director is authorized to approve expenditures up to ~~\$100,000~~ 200,000 and to bypass bid requirements in order to expedite the acquisition of necessary goods and services, the lease of office space, equipment, etc. These emergency expenditures do not have to be within the original budget allotment at the time they were secured. However, the Executive Director must advise the Board of these expenditures and any budgetary impacts within a reasonable time period.
6. In the event that applicable state and or federal laws mandate a different bidding process, those laws shall prevail.
7. The attached local preference policy has been revised to reflect the change in the Executive Director's signing authority only. All other provisions of the Authority's local preference policy remain intact.

ADOPTED BY THE FOLLOWING VOTE:

AYES: ~~Biddle, Freitas, Green, Henson, Keating, Landis, Leider, Natarajan, Quan, Souza, Sullivan, Waespi, Wile, Wozniak~~

NOES: ~~None~~

ABSTAIN: ~~None~~

ABSENT: ~~Carson, Fricke, Johnson~~

**~~Gary Wolff~~ Arliss Dunn, Clerk of the Board
Executive Director**

Alameda County Waste Management Authority
Local Preference Purchasing Policy

- I. The Agency will give a 2.5% vendor bid preference to a local business for goods, materials and general services provided that the goods, materials and/or general services meet the standards set forth in the Agency's Environmentally Preferable Purchasing Policy (EPP). The Agency will give an additional 2.5% vendor bid preference to a local business that is also a certified small or emerging business for goods, materials and general services provided that the goods, materials and/or general services meet the standards set forth in the Agency's Environmentally Preferable Purchasing Policy (EPP).
 - A. General services are defined as basic operational services such as printers, gardeners, janitors, etc. General services differ from professional services, with professional services requiring a specialized expertise or skill set. Example, a gardener is considered general services, whereas a landscape designer would fall under professional services. The Executive Director, Administrative Director or designee will determine whether a contractor falls under the general services or professional services category.
 - B. A small or emerging business must be certified by the Alameda County Small Local & Emerging Business Program (SLEB).
 - C. A local business must be in operation in Alameda County for at least six (6) months to qualify for the local preference.
 1. The business must have a verifiable address in Alameda County and must be able to prove that the business has been in operation in Alameda County for at least six months.
 2. The business must have a valid business license with the local jurisdiction in which the business resides.
- II. The Agency will calculate the bid preference as follows:
 - A. The local vendor's bid will be reduced by 2.5% when comparing to other bids. Assuming all elements of the bid are equal (e.g., quality, timeliness of delivery, adherence to the EPP, etc) upon calculation of the 2.5% preference, if the local vendor has the lowest bid, it will receive the contract subject to the Executive Director's or, if over ~~\$50,000~~ 100,000, the Board's approval.
 - B. The local and certified small and emerging vendor's bid will be reduced by 5.0% when comparing to other bids. Assuming all elements of the bid are equal (e.g., quality of goods, timeliness of delivery, adherence to the EPP, etc) upon calculation of the 5.0 % preference, if the local and small or emerging vendor has the lowest bid, it will receive the contract subject to the Executive Director's or, if over ~~\$50,000~~ 100,000, the Board's approval.
- III. The Executive Director or designee may waive this preference and the bid process as a whole in the event of an emergency or if the operational effectiveness of the Agency would be seriously threatened if the purchase of goods or services was not made immediately.
- IV. Professional services contracts are exempt from the local vendor preference. However, when issuing a RFP or RFQ the Agency will pursue outreach of Alameda County contractors using available vendor information such as the Alameda County's vendor list.

ATTACHMENT 2

ALAMEDA COUNTY WASTE MANAGEMENT AUTHORITY

RESOLUTION #WMA 2022-XX

**MOVED:
SECONDED:**

AT THE MEETING HELD APRIL 27, 2022

**THE AUTHORITY AUTHORIZES A REVISION TO THE POLICY REGARDING PURCHASING APPROVALS
AND REVISIONS TO THE LOCAL PREFERENCE POLICY**

WHEREAS, resolution 98-9 established a purchasing policy, which was revised on November 18, 2009; and,

WHEREAS, this purchasing policy required certain bid procedures; and,

WHEREAS, this policy also established an expenditure approval limit for the Executive Director by which he or she can approve expenditures without Board approval; and,

WHEREAS, this limit has not been raised since 2009; and,

WHEREAS, this limit is low compared to several member agencies and similar regional agencies; and,

WHEREAS, raising this limit would create more operational efficiency by reducing excess and unnecessary paperwork; and,

WHEREAS, this revision was approved by the Programs and Administration Committee at its meeting held April 14, 2022; and

WHEREAS, this policy now supersedes Resolution No. 2009-05.

NOW, THEREFORE, BE IT RESOLVED, that the Alameda County Waste Management Authority approves the following policy for implementation as of April 27, 2022:

1. The Executive Director (or designee) is authorized to approve annual expenditures from agency funds authorized in the budget up to \$100,000. Annual expenditures in excess of \$100,000 must be approved by the Board. Annual expenditures are defined as cumulative expenditures per vendor or contractor per fiscal year.
2. Annual expenditures up to \$10,000 require no bidding process.
3. Annual expenditures over \$10,000 to \$30,000 normally require three informal bids. However, with acceptable justification, a sole source vendor or contractor may be approved by the Executive Director for these amounts.
4. Annual expenditures greater than \$30,000 normally require a formal bid process. However, with acceptable justification, a sole source vendor or contractor may be approved by the Executive Director for amount greater than \$30,000 up to \$100,000.

5. In an emergency situation, such as a natural disaster, the Executive Director is authorized to approve expenditures up to \$200,000 and to bypass bid requirements in order to expedite the acquisition of necessary goods and services, the lease of office space, equipment, etc. These emergency expenditures do not have to be within the original budget allotment at the time they were secured. However, the Executive Director must advise the Board of these expenditures and any budgetary impacts within a reasonable time period.
6. In the event that applicable state and or federal laws mandate a different bidding process, those laws shall prevail.
7. The attached local preference policy has been revised to reflect the change in the Executive Director's signing authority only. All other provisions of the Authority's local preference policy remain intact.

ADOPTED BY THE FOLLOWING VOTE:

AYES:

NOES:

ABSTAIN:

ABSENT:

Arliss Dunn, Clerk of the Board

Local Preference Purchasing Policy

- I. The Agency will give a 2.5% vendor bid preference to a local business for goods, materials and general services provided that the goods, materials and/or general services meet the standards set forth in the Agency's Environmentally Preferable Purchasing Policy (EPP). The Agency will give an additional 2.5% vendor bid preference to a local business that is also a certified small or emerging business for goods, materials and general services provided that the goods, materials and/or general services meet the standards set forth in the Agency's Environmentally Preferable Purchasing Policy (EPP).
 - A. General services are defined as basic operational services such as printers, gardeners, janitors, etc. General services differ from professional services, with professional services requiring a specialized expertise or skill set. Example, a gardener is considered general services, whereas a landscape designer would fall under professional services. The Executive Director, Administrative Director or designee will determine whether a contractor falls under the general services or professional services category.
 - B. A small or emerging business must be certified by the Alameda County Small Local & Emerging Business Program (SLEB).
 - C. A local business must be in operation in Alameda County for at least six (6) months to qualify for the local preference.
 1. The business must have a verifiable address in Alameda County and must be able to prove that the business has been in operation in Alameda County for at least six months.
 2. The business must have a valid business license with the local jurisdiction in which the business resides.
- II. The Agency will calculate the bid preference as follows:
 - A. The local vendor's bid will be reduced by 2.5% when comparing to other bids. Assuming all elements of the bid are equal (e.g., quality, timeliness of delivery, adherence to the EPP, etc) upon calculation of the 2.5% preference, if the local vendor has the lowest bid, it will receive the contract subject to the Executive Director's or, if over \$100,000, the Board's approval.
 - B. The local and certified small and emerging vendor's bid will be reduced by 5.0% when comparing to other bids. Assuming all elements of the bid are equal (e.g., quality of goods, timeliness of delivery, adherence to the EPP, etc) upon calculation of the 5.0 % preference, if the local and small or emerging vendor has the lowest bid, it will receive the contract subject to the Executive Director's or, if over \$100,000, the Board's approval.
- III. The Executive Director or designee may waive this preference and the bid process as a whole in the event of an emergency or if the operational effectiveness of the Agency would be seriously threatened if the purchase of goods or services was not made immediately.
- IV. Professional services contracts are exempt from the local vendor preference. However, when issuing an RFP or RFQ the Agency will pursue outreach of Alameda County contractors using available vendor information such as the Alameda County's vendor list.

ATTACHMENT 3
Authorization Thresholds and Bidding Limits (non public works purchases)
General and City Managers/Administrators and Executive Directors - Spring 2022

Member Agency	Chief Executive Spending Authority Threshold	No Bid Required (at or below listed amount)	Informal Bid Limit	Formal Bid Threshold
City of Alameda	\$75,000	\$1,000	\$25,000	\$25,001+
Alameda County	\$25,000	\$3,000	\$100,000	\$100,001+
Albany	\$25,000	\$2,500.00	\$10,000	\$10,001+
Berkeley	Services \$50,000; Goods, Materials, and Equipment \$100,000	\$25,000	\$25,000	\$25,001+
Castro Valley	\$60,000	\$60,000 (GM's Discretion)	\$60,000 (GM's Discretion)	\$60,001+
Dublin	\$45,000	\$5,000	\$10,000	\$45,001+
Emeryville	\$45,000	\$5,000	\$45,000	\$45,001+
Fremont	\$100,000	\$5,000	\$25,000	\$25,001+
Hayward	\$75,000	\$7,500	\$50,000	\$75,001+
Livermore	\$100,000	\$5,000	\$50,000	\$50,001+
Newark	\$50,000	\$500	\$9,999	\$10,001+
Oakland	\$250,000 normally; \$500,000 if council annual recess, no limit in an emergency	\$500	\$50,000	\$50,001+
Oro Loma	\$100,000	\$50,000	\$200,000	\$200,001+
Piedmont	\$75,000	\$5,000	\$75,000	\$75,001+
Pleasanton	\$100,000	\$10,000	\$100,000	\$100,001+
San Leandro	\$50,000	\$5,000	\$24,999	\$25,001+
Union City	\$75,000	N/A	N/A	\$50,001+
MTC	Current ED Authority is \$200,000, which resets by Committee	\$3,000 (currently evaluating increasing the limit to \$10,000)	\$25,000 (currently evaluating increasing the limit to \$100,000)	\$25,001+ (currently evaluating increasing to over \$100,000)
EBMUD	Materials: \$100,000 Services: \$80,000	\$10,000	\$80,000 for materials \$30,000 for services	\$80,001+ for materials \$30,001+ for services.
Dublin San Ramon Services District	\$175,000	\$15,000	\$45,000	\$45,001+
Alameda County Water District	\$100,000	\$10,000	\$25,000	\$25,000+
Zone 7 (Alameda County)	\$50,000	\$3,000	Goods: \$100,000 Services: \$50,000	Goods: \$100,001+ Services: \$50,001+