



DATE: April 27, 2022

TO: Waste Management Authority (WMA) Board

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

SUBJECT: Revisions to the Agency's Purchasing Policy

SUMMARY

On April 14, 2022, the Programs and Administration (P&A) Committee recommended that the WMA Board approve revisions to the Agency's purchasing policy – specifically, changes to the Executive Director's expenditure authorization and specific bidding requirements.

DISCUSSION

By a vote of 11 – 0 (Spencer, absent), the P&A Committee reviewed and recommended forwarding for approval the attached resolution revising the Agency's purchasing policy. The changes are as follows:

- Increasing the Executive Director's spending authorization from \$50,000 to \$100,000
- Changing no bidding required to \$10,000 (from \$3,000)
- Changing informal bidding (quotes) to \$30,000 (from \$15,000)
- Increasing emergency authorization (e.g., during a natural disaster) to \$200,000 (from \$100,000)
- Purchases over \$30,000 would require a formal bidding process
- Changes to the local preference policy to coincide with the changes to the purchasing policy

The report submitted to the P&A Committee is available at the following link: [Purchasing-Policy-Revisions-PA.pdf](#)

RECOMMENDATION

That the WMA Board approve the revised purchasing policy resolution as recommended by the P&A Committee.

Attachment: Purchasing Policy resolution

ALAMEDA COUNTY WASTE MANAGEMENT AUTHORITY

RESOLUTION #WMA 2022-

**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 up to 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 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 require a formal bid process. However, with acceptable justification, a sole source vendor or contractor may be approved by the Executive Director for an 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, such as the lease of office space or equipment. 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 spending 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

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. For 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.