

RESOLUTION NO. 10-002

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE CSAC EXCESS INSURANCE
AUTHORITY AMENDING ITS BIDDING PROCEDURES POLICY**

WHEREAS, the CSAC Excess Insurance Authority acquires and contracts for the purchase of various materials, furnishings, equipment and other personal property for use by the Authority;

WHEREAS, the CSAC Excess Insurance Authority adopted a policy on March 6, 1992 concerning the acquisition or purchase of and contract for such material, furnishings, equipment and personal property;

WHEREAS, the chief executive and/or his/her designee needs to have the flexibility and authority to acquire or contract for the purchase of such materials, furnishings, equipment and personal property;

WHEREAS, according to various provisions of State Law, certain competitive bidding practices need to be followed for the acquisition of and contract for the purchase of such materials, furnishings, equipment and personal property;

**NOW THEREFORE BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CSAC
EXCESS INSURANCE AUTHORITY AS FOLLOWS:**

1. The acquisition/bidding policy which is attached hereto as Exhibit A and incorporated herein by reference is adopted as the policy of the Board of Directors.

2. The chief executive of the CSAC Excess Insurance Authority and/or his/her designee is authorized to do any and all acts necessary to give effect to and comply with the terms and intent of this Resolution.

3. This Resolution shall take effect immediately upon its passage.

**PASSED AND ADOPTED by the Board of Directors of the CSAC Excess Insurance
Authority, this 1st day of October, 2010, by the following vote:**

AYES: Counties of Alameda, Butte, Contra Costa, Del Norte, El Dorado, Glenn, Humboldt, Imperial, Inyo, Kern, Kings, Madera, Mendocino, Merced, Napa, Nevada, Orange, Placer, Plumas, Riverside, Sacramento, San Diego, San Joaquin, San Luis Obispo, Santa Barbara, Santa Clara, Santa Cruz, Shasta, Sierra, Sonoma, Stanislaus, Sutter, Tehama, Trinity, Tuolumne, Ventura, Yuba and Thomas Vance, Charlie Mitchell, Teri Enos, Larry Moss, Kimberly J. Greer, Deborah Grant and Lynne Margolies

NOES: None

ABSENT: Counties of Alpine, Amador, Calaveras, Colusa, Fresno, Lake, Lassen, Marin, Mariposa, Modoc, Mono, Monterey, San Benito, Siskiyou, Solano, Tulare and Yolo

ABSTAIN: None

ATTEST:

**Michael Fleming, CEO/Secretary
CSAC Excess Insurance Authority**

**Lance Sposito, President
CSAC Excess Insurance Authority**

EXHIBIT A

ACQUISITION/BIDDING POLICY

All purchases of and contracts for materials, supplies, furnishings, equipment and other personal property required by the Authority shall be made on behalf of the Authority by the chief executive, or his/her designee, in accordance with these provisions.

Except as otherwise provided herein, all purchases and contracts over \$10,000.00 shall be based upon competitive bidding or as otherwise required by state law.

If the amount of a group of expenditures would or could exceed \$15,000.00 for a list of related items commonly sold by the same vendors, formal bids shall be solicited by invitations mailed to known vendors and by posting at the Authority's office. All invitations to bid shall include detailed specifications or indicate where they can be obtained, and shall specify the time and place where the bids shall be filed.

The chief executive, or his/her designee, may waive competition where there are limitations on the source of supply, provided that a full record of the circumstances is made and the expenditure does not exceed \$25,000.00. Where the expenditure would or could exceed \$25,000.00, competition may be waived only after approval of the Executive Committee.

If bids have been solicited by the chief executive, or his/her designee, for supplies, furnishings, equipment or other personal property, the chief executive, or his/her designee, may reject all bids and solicit new bids or deal directly with individual vendors whenever: (a) all bids are in excess of budgetary funds available for the purchase, or (b) bids received are not representative of the items required, or (c) the items can be purchased under terms and conditions more economically advantageous to the Authority. Where no bids have been received, no further bidding is required.

If the amount of the expenditure is estimated to be less than \$10,000.00, the purchase may be made in the open market without competitive bidding.

The chief executive, or his/her designee, may make emergency purchases free of the provisions as set forth herein, upon a showing that such purchase is required for the health, safety and welfare or for the protection of property and that there is a present, immediate and existing emergency which could not reasonably be foreseen; and make other purchases free of these provisions when the Executive Committee has found that such would be in the public interest.

The chief executive, or his/her designee, shall exercise diligence in consolidating and scheduling orders to the end that the Authority may benefit from quantity prices and the most favorable market. No requisition shall be broken down into smaller units to evade the requirements of this article, except that unrelated items requested may be separated to provide different lists to vendors dealing in different commodity classes.

Any transaction failing to comply with these provisions in any respect shall be voidable at the discretion of the Board of Directors.

The chief executive, or his/her designee, may issue procedural regulations to amplify these provisions, which regulations shall be effective upon approval of the Board of Directors.