

Long Creek Watershed Management District Governing Board
Agenda – May 13, 2011 Meeting
Location: Scarborough Library

1. **Call to order**
2. **Roll call**
3. **Minutes** (*Attachment A*)
4. **Treasurer's report** (*Attachment B*)
5. **Executive Director's report**
6. **Procurement Policy Amendment.** To adopt the attached (*Attachment C*) Draft Amendment to Long Creek Watershed Management District Rules and Regulations Regarding Late Payments. The intent is to clarify some of the procedures under the procurement policy and add a provision that allows for pre-certification of contractors for the procurement of services.
7. **Contract Services.** To contract monitoring services for the LCWMD and to authorize the LCWMD Chair/President to execute documents necessary thereto. Recommendation for contract award is URS Corporation for a two year monitoring contract commencing July 1, 2011 and terminating June 30, 2013 for a total of \$76,028.94.
8. **Public Comments.**
9. **Adjourn.**

Attachment A

LCWMD Governing Board - Minutes – March 4, 2011 Meeting
Location: South Portland Community Center, Sr. Wing, 21 Nelson Road

1. **Call to order** – 8:35 a.m.

2. **Roll call**

Gerard Jalbert (absent), Curtis Bohlen (absent), Mary Costigan, David Thomes, Jim Hughes, John O'Hara, David Russell, Dan Bacon, Ed Palmer, Craig Gorris, Brian Goldberg (absent), Tom Raymond, John Branscom, Adam Pitcher

3. **Minutes** (*Attachment A*)

Mr. Raymond made the motion to accept the minutes as presented. Mr. Russell seconded the motion. The motion was approved unanimously.

4. **Treasurer's report** (*Attachment B*)

5. **Executive Director's report**

- Aging accounts – Notice of Default sent to 865 Spring Street 2/11/11 with 30 days to rectify. \$1000 has been received on the account since outreach was made regarding overdue payments.
- Tax exempt status received from the State of Maine (2/7/11)
- Analytical and Monitoring RFPs were released
- O&M Plans completed and mailed out.

6. **Payment Policy Recommendation.** Under its authority to adopt Rules and Regulations under Section 5.D. of the Interlocal Agreement and Art. II, Sec. 2.D. of the Bylaws of Long Creek Watershed Management District, the LCWMD Board of Directors can adopt Rules and Regulations. The Payment Policy (*Attachment B*) is provided for consideration and adoption by the LCWMD Board.

- Mr. O'Hara made the motion to accept the Payment Policy as provided. Mr. Bacon seconded the motion. The motion was approved unanimously.

7. **Late Policy Amendment.** To adopt the attached (*Attachment C*) Draft Amendment to Long Creek Watershed Management District Rules and Regulations Regarding Late Payments. The intent is to create an exception to the general rule to require proration of assessments where DEP adds a Parcel to the Long Creek Watershed Designated Discharge list after the date of issuance of the first General Permit. If, however, DEP had the Parcel listed at the time of the initial General Permit and was late in sending the 180-day notice (or the landowner/record owner did not receive the DEP 180-day notice), then the general rule applies and the landowner/record owner must pay the full amount of all assessments.

- Mr. Raymond made the motion to accept the Late Policy Amendment including the change in language to B.1., as provided by Jim (below). Mr. Bacon seconded the motion. The motion was approved unanimously.

- B.1. amended to read:

B.1. A Person who wishes to become a Participating Landowner under a PLA within 180 days after receiving notice of the General Permit from DEP may do so without additional financial penalty, even though the PLA is executed by the person after May 28, 2010, but that Person shall pay to LCWMD the full amount of the Initial Assessment and of any Annual Assessment(s), without proration, that would have been assessed against the Parcel Operator and/or Record Owner's Parcel(s) had the Person entered into the PLA by May 28, 2010; provided, however, that Persons who enter into a PLA as Operators or Record Owners of Parcels that are identified by DEP after Nov. 6, 2009 (the date of the initial General Permit) as being located within the Long Creek Watershed and as having a Designated Discharge shall pay the amount of the Initial Assessment and/or Annual Assessments that would have been assessed against the Operator

and/or Record Owner's Parcel(s) had the Person entered into the PLA by May 28, 2010, prorated to the date that is the earlier of 210 days following the issuance of notice by DEP that the Parcel that is the subject to the General Permit or 180 days after the Parcel Operator or Record Owner's receipt of such notice.

8. **Contract Services.** To contract sweeping services for the LCWMD and to authorize the LCWMD Chair/President to execute documents necessary thereto. Entities that responded to the RFP will be posted at www.restorelongcreek.org by February 28, 2011. Recommendation for contract award will be provided at the meeting.
 - Mr. Hughes made the motion to award the sweeping services contract to BMP Maintenance, LLC. and authorize the Chair/President to execute documents thereto. Mr. O'Hara seconded the motion. The motion was approved unanimously.

9. **Discuss LCWMD Technical Committee recommendations for Asset Depreciation and Maintenance.** LCWMD now has over \$1.8 million in stormwater infrastructure assets. The board will need to adopt a policy on how LCWMD will depreciate its assets. As a first step in this process, the Technical Committee, at the request of the board, has been looking into this and will be prepared to make a recommendation.
 - Mr. Russell made the motion to set the depreciation schedule as a 50 year life and straight line depreciation. Mr. Bacon seconded the motion. The motion was approved unanimously.

10. **Appointments for the Technical Committee.** To appoint members to the Technical Committee that shall have a minimum of four members and maximum of eight, at least one of whom will be a board member. The Technical Committee will provide input to the Executive Director on the implementation of the Operation and Maintenance Plan and the prioritization of implementation of the Management Plan. Committee members will serve for a term of two years.
 - The Board appointed Jeff Dennis (DEP), Fred Dillon (South Portland), Zach Henderson (Woodard & Curran), Ryan Hodgman (DOT) and Robyn Saunders (GZA GeoEnvironmental, Inc.) at the June 23, 2010 meeting.
 - Lucille Benedict, Assistant Professor, Department of Chemistry, USM has submitted a request to be appointed to the Technical Committee (*Attachment D*).
 - Thomas Raymond has been serving as the board member on the Technical Committee.It is recommended that Luci and Tom be appointed to the Technical Committee.
 - Mr. Bacon made the motion to appoint Lucille Benedict and Tom Raymond to the Technical Committee. Mr. O'Hara seconded the motion. The motion was approved unanimously.

11. **Drainage Maintenance Agreement.** To approve the attached (*Attachment E*) Drainage Maintenance Agreement between B & D ME Realty LLC and LCWMD and to authorize the LCWMD Chair/President to execute documents necessary thereto.
 - The Executive Director explained that B&D ME Realty was balking at the payment included as part of the agreement. B&D was requesting that LCWMD request payment from GMG since B&D was paying B&D for maintenance.
 - The board directed Jim to develop a letter to be signed by the Board Chair/President and send it through to all property owners who are not Participating Landowners who have impervious surface draining to the LCWMD's system across GMG property at 220 Maine Mall Road (Mall Plaza).

12. **Public Comments.** No public comments.

13. **Adjourn**

Attachment A

- Mr. Bacon made the motion to adjourn. Mr. Hughes seconded the motion. The motion was approved unanimously. Meeting adjourned at 9:48 a.m.

9:53 AM

04/08/11

Accrual Basis

Long Creek Watershed Management District
Balance Sheet
As of March 31, 2011

	Mar 31, 11
ASSETS	
Current Assets	
Checking/Savings	
1000 - TD BANK	517,119.40
Total Checking/Savings	517,119.40
Accounts Receivable	
1200 - ACCOUNTS RECEIVABLE	31,485.73
Total Accounts Receivable	31,485.73
Total Current Assets	548,605.13
Fixed Assets	
1700 - FIXED ASSETS	
1730 - Monitoring Equipment	25,425.00
1780 - Construction in Process	2,056,063.45
Total 1700 - FIXED ASSETS	2,081,488.45
Total Fixed Assets	2,081,488.45
TOTAL ASSETS	2,630,093.58
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Accounts Payable	
2000 - ACCOUNTS PAYABLE	8,367.98
Total Accounts Payable	8,367.98
Total Current Liabilities	8,367.98
Long Term Liabilities	
2700 - MM BOND BANK	2,095,000.00
Total Long Term Liabilities	2,095,000.00
Total Liabilities	2,103,367.98
Equity	
Net Income	526,725.60
Total Equity	526,725.60
TOTAL LIABILITIES & EQUITY	2,630,093.58

9:54 AM

04/08/11

Accrual Basis

Long Creek Watershed Management District

Profit & Loss

March 2011

	Mar 11	Jul '10 - Mar 11
Ordinary Income/Expense		
Income		
INCOME TRANSFER FROM CCSWCD	2,282,930.54	2,282,930.54
4100 · ADMINISTRATION	-726.60	270,653.75
4200 · CONSTRUCTION AND MAINTENANCE	-1,089.90	482,425.68
4500 · GOOD HOUSEKEEPING	-908.25	378,033.06
4600 · MONITORING	-181.65	86,388.95
4700 · STREAM RESTORATION	0.00	21,006.41
4750 · CFUP INCOME	0.00	26,721.95
4820 · INTEREST	87.85	440.36
Total Income	<u>2,280,111.99</u>	<u>3,548,600.70</u>
Gross Profit	2,280,111.99	3,548,600.70
Expense		
EXPENSE TRANSFER FROM CCSWCD	1,857,423.30	1,857,423.30
5010 · ADS	190.56	415.22
5040 · CONSTRUCTION		
5042 · Engineering	62,635.27	62,635.27
5044 · Permits	2.00	2.00
5046 · Structural	5,850.00	253,850.00
5040 · CONSTRUCTION - Other	515,037.33	515,037.33
Total 5040 · CONSTRUCTION	<u>583,524.60</u>	<u>831,524.60</u>
5050 · GOOD HOUSEKEEPING EXPENSE	0.00	300.00
5060 · MONITORING EXPENSE	0.00	6,497.00
6000 · PROGRAM EXPENSE		
6001 · BMP Maintenance	0.00	7,992.00
Total 6000 · PROGRAM EXPENSE	<u>0.00</u>	<u>7,992.00</u>
6180 · INSURANCE		
6181 · Liability Insurance	1,287.00	3,724.00
Total 6180 · INSURANCE	<u>1,287.00</u>	<u>3,724.00</u>
6250 · POSTAGE AND DELIVERY	63.08	290.20
6260 · PRINTING AND REPRODUCTION	1,722.24	4,120.27
6270 · PROFESSIONAL FEES		
6272 · Legal Fees	2,036.50	36,101.09
6273 · Accounting	0.00	9,955.00
6274 · Administration	10,099.02	73,824.09
6275 · Program Management	741.32	25,450.93
6276 · Sweeping	0.00	50,995.00
6277 · WQ Monitoring	3,550.67	73,075.65
6278 · Catch Basin Cleaning	2,808.00	15,822.00
6279 · Database Management	0.00	1,000.00
6270 · PROFESSIONAL FEES - Other	10,023.12	23,253.38
Total 6270 · PROFESSIONAL FEES	<u>29,258.63</u>	<u>309,477.14</u>
6350 · TRAVEL		
6354 · Travel	31.67	31.67
Total 6350 · TRAVEL	<u>31.67</u>	<u>31.67</u>
6550 · SUPPLIES	0.00	83.69
66900 · Reconciliation Discrepancies	0.00	-3.99
Total Expense	<u>2,473,501.08</u>	<u>3,021,875.10</u>
Net Ordinary Income	<u>-193,389.09</u>	<u>526,725.60</u>
Net Income	<u><u>-193,389.09</u></u>	<u><u>526,725.60</u></u>

9:55 AM

04/08/11

Accrual Basis

Long Creek Watershed Management District
Trial Balance
As of March 31, 2011

	Mar 31, 11	
	Debit	Credit
1000 · TD BANK	517,119.40	
1200 · ACCOUNTS RECEIVABLE	31,485.73	
1215 · Due from CCSWCD	0.00	
1499 · UNDEPOSITED FUNDS	0.00	
1700 · FIXED ASSETS:1730 · Monitoring Equipment	25,425.00	
1700 · FIXED ASSETS:1780 · Construction in Process	2,056,063.45	
2000 · ACCOUNTS PAYABLE		8,367.98
2700 · MM BOND BANK		2,095,000.00
INCOME TRANSFER FROM CCSWCD		2,282,930.54
4100 · ADMINISTRATION		270,653.75
4200 · CONSTRUCTION AND MAINTENANCE		482,425.68
4500 · GOOD HOUSEKEEPING		378,033.06
4600 · MONITORING		86,388.95
4700 · STREAM RESTORATION		21,006.41
4750 · CFUP INCOME		26,721.95
4820 · INTEREST		440.36
EXPENSE TRANSFER FROM CCSWCD	1,857,423.30	
5010 · ADS	415.22	
5040 · CONSTRUCTION	515,037.33	
5040 · CONSTRUCTION:5042 · Engineering	62,635.27	
5040 · CONSTRUCTION:5044 · Permits	2.00	
5040 · CONSTRUCTION:5046 · Structural	253,850.00	
5050 · GOOD HOUSEKEEPING EXPENSE	300.00	
5060 · MONITORING EXPENSE	6,497.00	
6000 · PROGRAM EXPENSE:6001 · BMP Maintenance	7,992.00	
6180 · INSURANCE:6181 · Liability Insurance	3,724.00	
6250 · POSTAGE AND DELIVERY	290.20	
6260 · PRINTING AND REPRODUCTION	4,120.27	
6270 · PROFESSIONAL FEES	23,253.38	
6270 · PROFESSIONAL FEES:6272 · Legal Fees	36,101.09	
6270 · PROFESSIONAL FEES:6273 · Accounting	9,955.00	
6270 · PROFESSIONAL FEES:6274 · Administration	73,824.09	
6270 · PROFESSIONAL FEES:6275 · Program Management	25,450.93	
6270 · PROFESSIONAL FEES:6276 · Sweeping	50,995.00	
6270 · PROFESSIONAL FEES:6277 · WQ Monitoring	73,075.65	
6270 · PROFESSIONAL FEES:6278 · Catch Basin Cleaning	15,822.00	
6270 · PROFESSIONAL FEES:6279 · Database Management	1,000.00	
6350 · TRAVEL:6354 · Travel	31.67	
6550 · SUPPLIES	83.69	
66900 · Reconciliation Discrepancies		3.99
TOTAL	<u>5,651,972.67</u>	<u>5,651,972.67</u>

Long Creek Watershed Management District
Reconciliation Summary
1000 - TD BANK, Period Ending 03/31/2011

	<u>Mar 31, 11</u>
Beginning Balance	459,584.60
Cleared Transactions	
Checks and Payments - 9 items	-41,075.96
Deposits and Credits - 8 items	103,519.44
Total Cleared Transactions	<u>62,443.48</u>
Cleared Balance	<u>522,028.08</u>
Uncleared Transactions	
Checks and Payments - 5 items	-4,908.68
Total Uncleared Transactions	<u>-4,908.68</u>
Register Balance as of 03/31/2011	<u>517,119.40</u>
Ending Balance	<u>517,119.40</u>

Long Creek Watershed Management District Reconciliation Detail

1000 - TD BANK, Period Ending 03/31/2011

Type	Date	Num	Name	Clr	Amount	Balance
Beginning Balance						459,584.60
Cleared Transactions						
Checks and Payments - 9 items						
Check	2/16/2011	49	POSTMASTER	X	-48.00	-48.00
Bill Pmt -Check	3/16/2011	50	CUMBERLAND CO...	X	-26,850.01	-26,898.01
Bill Pmt -Check	3/16/2011	55	RISBARA BROS. C...	X	-5,850.00	-32,748.01
Bill Pmt -Check	3/16/2011	51	FB ENVIRONMENT...	X	-2,254.30	-35,002.31
Bill Pmt -Check	3/16/2011	58	WOODARD & CUR...	X	-2,220.50	-37,222.81
Bill Pmt -Check	3/16/2011	53	PERKINS-THOMPS...	X	-2,036.50	-39,259.31
Bill Pmt -Check	3/16/2011	56	THE PRINT HOUSE	X	-912.59	-40,171.90
Bill Pmt -Check	3/16/2011	52	GORRILL-PALMER...	X	-713.50	-40,885.40
Bill Pmt -Check	3/16/2011	54	PORTLAND NEWS...	X	-190.56	-41,075.96
Total Checks and Payments					-41,075.96	-41,075.96
Deposits and Credits - 8 items						
Deposit	3/2/2011			X	32,082.37	32,082.37
Deposit	3/4/2011			X	2,037.90	34,120.27
Deposit	3/8/2011			X	29,046.13	63,166.40
Bill Pmt -Check	3/16/2011	57	WOODARD & CUR...	X	0.00	63,166.40
Deposit	3/16/2011			X	38,936.55	102,102.95
Deposit	3/29/2011			X	1,328.64	103,431.59
Bill Pmt -Check	3/30/2011	61	TERRANCE j. DEW...	X	0.00	103,431.59
Deposit	3/31/2011			X	87.85	103,519.44
Total Deposits and Credits					103,519.44	103,519.44
Total Cleared Transactions					62,443.48	62,443.48
Cleared Balance					62,443.48	522,028.08
Uncleared Transactions						
Checks and Payments - 5 items						
Bill Pmt -Check	3/30/2011	64	TERRANCE j. DEW...		-3,561.60	-3,561.60
Bill Pmt -Check	3/30/2011	63	PEERLESS INSUR...		-1,287.00	-4,848.60
Bill Pmt -Check	3/30/2011	60	POSTMASTER		-44.00	-4,892.60
Bill Pmt -Check	3/30/2011	59	CITY OF WESTBR...		-14.08	-4,906.68
Bill Pmt -Check	3/30/2011	62	TREASURER, STA...		-2.00	-4,908.68
Total Checks and Payments					-4,908.68	-4,908.68
Total Uncleared Transactions					-4,908.68	-4,908.68
Register Balance as of 03/31/2011					57,534.80	517,119.40
Ending Balance					57,534.80	517,119.40

Attachment B

Long Creek Watershed Management District

4/7/2011 11:16 AM

Register: 1000 · TD BANK

From 03/01/2011 through 04/07/2011

Sorted by: Date, Type, Number/Ref

<u>Date</u>	<u>Number</u>	<u>Payee</u>	<u>Account</u>	<u>Memo</u>	<u>Payment</u>	<u>C</u>	<u>Deposit</u>	<u>Balance</u>
03/02/2011			-split-	Deposit		X	32,082.37	491,618.97
03/04/2011			1499 · UNDEPOSITED FUNDS	Deposit		X	2,037.90	493,656.87
03/08/2011			-split-	Deposit		X	29,046.13	522,703.00
03/16/2011			2700 · MM BOND BANK	Deposit		X	38,936.55	561,639.55
03/16/2011	50	CUMBERLAND COUNTY ...	2000 · ACCOUNTS PAYABLE		26,850.01	X		534,789.54
03/16/2011	51	FB ENVIRONMENTAL AS...	2000 · ACCOUNTS PAYABLE		2,254.30	X		532,535.24
03/16/2011	52	GORRILL-PALMER CONS...	2000 · ACCOUNTS PAYABLE		713.50	X		531,821.74
03/16/2011	53	PERKINS-THOMPSON	2000 · ACCOUNTS PAYABLE	13657-0001	2,036.50	X		529,785.24
03/16/2011	54	PORTLAND NEWSPAPERS	2000 · ACCOUNTS PAYABLE		190.56	X		529,594.68
03/16/2011	55	RISBARA BROS. CONSTR...	2000 · ACCOUNTS PAYABLE		5,850.00	X		523,744.68
03/16/2011	56	THE PRINT HOUSE	2000 · ACCOUNTS PAYABLE		912.59	X		522,832.09
03/16/2011	57	WOODARD & CURRAN	2000 · ACCOUNTS PAYABLE	VOID:		X		522,832.09
03/16/2011	58	WOODARD & CURRAN	2000 · ACCOUNTS PAYABLE		2,220.50	X		520,611.59
03/29/2011			1499 · UNDEPOSITED FUNDS	Deposit		X	1,328.64	521,940.23
03/30/2011	59	CITY OF WESTBROOK	2000 · ACCOUNTS PAYABLE		14.08			521,926.15
03/30/2011	60	POSTMASTER	2000 · ACCOUNTS PAYABLE		44.00			521,882.15
03/30/2011	61	TERRANCE j. DEWAN & ...	2000 · ACCOUNTS PAYABLE	VOID:		X		521,882.15
03/30/2011	62	TREASURER, STATE OF ...	2000 · ACCOUNTS PAYABLE		2.00			521,880.15
03/30/2011	63	PEERLESS INSURANCE C...	2000 · ACCOUNTS PAYABLE	201038040	1,287.00			520,593.15
03/30/2011	64	TERRANCE j. DEWAN & ...	2000 · ACCOUNTS PAYABLE		3,561.60			517,031.55
03/31/2011			4820 · INTEREST	Interest		X	87.85	517,119.40

Long Creek Watershed Management District
A/R Aging Summary
 As of April 8, 2011

	Current	1 - 30	31 - 60	61 - 90	> 90	TOTAL
865 Spring Street, Inc. 128-01	0.00	0.00	0.00	4,333.41	3,333.40	7,666.81
Total 865 Spring Street, Inc.	0.00	0.00	0.00	4,333.41	3,333.40	7,666.81
Individual Permit Holders Services Vaneastland, LLC	0.00	0.00	0.00	21,385.04	0.00	21,385.04
Total Individual Permit Holders Services	0.00	0.00	0.00	21,385.04	0.00	21,385.04
R.A. Cummings, Inc. 125-I-01	0.00	0.00	0.00	1,964.68	0.00	1,964.68
43-I-01	0.00	0.00	0.00	469.20	0.00	469.20
Total R.A. Cummings, Inc.	0.00	0.00	0.00	2,433.88	0.00	2,433.88
TRU 2005 REI, LLC 33-01	0.00	4,771.74	0.00	0.00	0.00	4,771.74
34-01	0.00	8,898.20	0.00	0.00	0.00	8,898.20
Total TRU 2005 REI, LLC	0.00	13,669.94	0.00	0.00	0.00	13,669.94
TOTAL	0.00	13,669.94	0.00	28,152.33	3,333.40	45,155.67

Long Creek Watershed Management District
A/P Aging Summary
As of April 8, 2011

	<u>Current</u>	<u>1 - 30</u>	<u>31 - 60</u>	<u>61 - 90</u>	<u>> 90</u>	<u>TOTAL</u>
RISBARA BROS. CONSTRUCTION CO	0.00	0.00	0.00	0.00	4,960.00	4,960.00
SOUTHERN MAINE SITEWORK, INC.	2,808.00	0.00	0.00	0.00	0.00	2,808.00
WOODARD & CURRAN	599.98	0.00	0.00	0.00	0.00	599.98
TOTAL	<u>3,407.98</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>4,960.00</u>	<u>8,367.98</u>

Under its authority to adopt Rules and Regulations under Section 5.D. of the Interlocal Agreement and Art. II, Sec. 2.D. of the Bylaws of Long Creek Watershed Management District, the LCWMD Board of Directors hereby amend the LCWMD Rules and Regulations by adding “**C. Long Creek Watershed Management District Procurement Policy,**” to read as follows:

Long Creek Watershed Management District Rules and Regulations

C. Long Creek Watershed Management District Procurement Policy

1. **Authorization.** Purchases of goods and services by the Long Creek Watershed Management District (LCWMD) are subject to this “Long Creek Watershed Management District Procurement Policy” (“Policy”). Authorization for expenditures of any funds to purchase goods or services must be given by the LCWMD Board of Directors (Board), either through budget approval; contract approval; grant agreement approval; or specific approval as provided in this Policy. The Executive Director has the authority to purchase goods and services up to the amount of \$2,500 and to award bids and to accept proposals for goods and services, respectively, up to the amount of \$10,000, except as otherwise provided in this Policy.
2. **Purchases by competitive bidding.** LCWMD shall purchase collectively all goods and services in a manner that best secures the greatest possible economy consistent with the required grade or quality of the goods or services.
 - a. Competitive bids and requests for proposals shall be required for all purchases of goods and services in excess of \$2,500.00 unless specifically exempted by this Policy or by action of the Board.
 - b. Informal bidding and proposal procedures shall be allowed when a purchase is required to be by competitive bidding or proposal if the total purchase price is less than \$10,000.00, unless the Executive Director recommends use of a formal bidding or proposal process.
 - c. Formal bidding and proposal procedures shall be followed by the Executive Director in all other cases when competitive bidding or proposals are required by this Policy.
3. **Purchases Procurement of Services through Pre-Certified Contractors. Fro any procurement of services under this policy, LCWMD may pre-certify contractors through a Request for Qualifications (RFQ) process if the Executive Director determines that this process will provide the best possible economy and quality of goods or services.**
 - a. Precertification shall follow the procedure for Formal Bidding/Proposals outlined in Section 4.
 - b. The Invitation for Bid/Request for Proposal shall include, at a minimum, the following:
 - i. Scope of Services, including personnel classifications, minimum personnel qualifications, and description of services that may be awarded under the RFQ.
 - ii. Contract requirements
 - iii. Items to be submitted as part of the RFQ (including firm qualifications, personnel and resources, fee schedule, and affirmation of the ability to sign a contract with LCWMD)

- c. The Board shall evaluate ~~P~~pre-Certified Contractors ~~will be evaluated~~ based upon selection criteria outlined in the Invitation for Bid/Request for Proposal. Criteria may include the following:
 - i. Firm's experience
 - ii. Proposed fees
 - iii. Qualifications
 - iv. Demonstrated ability to meet schedule
 - v. References
 - d. Executive Director shall select from ~~p~~Pre-certified contractors ~~will then be selected~~ for LCWMD projects using either of the following methods
 - i. Invitation to bid on specific project types for which they were pre-certified. Bids will be submitted using the rates determined during the RFQ process and will be evaluated on approach and proposed level of effort.
- OR
- ii. Direct award based on qualifications, rates, and project requirements.
 - e. The period over which the pre-certification is valid will be specified in the Invitation to Bid/Request for Qualifications.

3.4. Procedure for Formal Bidding/Proposals. The procedure for formal bidding and proposals shall be as follows:

- a. Invitation for Bids/Requests for Proposals. The Executive Director shall prepare the invitation for bids and requests for proposals, describing the LCWMD's requirements clearly, accurately and completely, but avoiding unnecessarily restrictive specifications or requirements that might unduly limit the number of bidders or proposers. The term "invitation for bids" means the complete assembly of related (whether attached or incorporated by reference) material furnished prospective bidders for the purpose of submitting sealed bids. The term "request for proposals" means the complete assembly of related (whether attached or incorporated by reference) material furnished prospective proposers for the purpose of submitting sealed proposals. The Executive Director shall determine that the requirements of the LCWMD are clearly and accurately and completely stated within the invitation to bid/request for proposals.
- b. The Executive Director shall publicize the invitation for bids/request for proposals through distribution to prospective bidders and proposers, advertising in a newspaper with local and/or regional circulation, or such other means as the Executive Director determines is appropriate at least ten calendar days prior to the time set for public opening of sealed bids or proposals.
- c. Bidders/proposers shall submit sealed bids/proposals to LCWMD prior to the date and time specified for the opening of bids/proposals. Late bids/proposals shall not be accepted and no bidder/proposer shall be permitted to withdraw a bid after the deadline for bids specified in the invitation to bidders/proposers.
- ~~d. Bids and proposals shall be publicly opened at the time and place specified in the invitation to bid or request for proposals.~~ A contract shall be awarded by the Board to the responsible bidder/proposer whose bid/proposal conforms to the invitation to bid/request for proposals and will be the most advantageous to the LCWMD and is in the best interests of the public.

Award may be delayed pending verification of a bidder's/proposer's credentials and references or review of the bids/proposals received.

- e. LCWMD reserves the right to reject any and all bids/proposals and to reject non-responsive bids/proposals.

4.5. Procedure for Informal Bidding/Proposals.

- a. The Executive Director shall solicit competitive bids/proposals either by written notice sent to vendors, posting on Long Creek Website, distribution to Long Creek email list or by advertisement in a newspaper(s) having at least local circulation. The notice shall contain specifications as to quantity and quality required, the availability of bid/request for proposals packages or other details, and the date and time when bids/proposals must be received.
- b. All bids/proposals shall quote delivered prices, terms of payment and cash discounts if applicable. If oral quotations are accepted, the Executive Director shall obtain a written or email confirmation of the quotation from the bidder/proposer. The person from whom the quote is received, and the date and time the quote is received by the LCWMD shall be recorded.
- c. The Executive Director shall attempt to solicit at least three vendors on every purchase subject to informal bidding/proposal procedures. If fewer than three bids are received, or if in the opinion of the Executive Director no bids are acceptable, rebidding may be required.
- d. In all cases the bid or proposal most advantageous to the LCWMD and in the best interests of the public, price, quality, and other factors being considered, shall be awarded by the Executive Director.
- e. LCWMD reserves the right to reject any and all bids/proposals and to reject non-responsive bids/proposals.

5.6. Procedure for Competitive Bidding/Proposal Waiver. The requirement of competitive bidding/proposals for all purchases of goods and services ~~in excess of \$2,500.00~~ may be waived by the Executive Director (in excess of \$2,500.00) or the Board (in excess of \$10,000) when:

- a. After reasonable investigation by the Executive Director, it appears that any required unit or item of supply, or brand of that unit or item, or any services, is procurable by the LCWMD from only one source;
- b. is of such narrow scope or constraint that the need can be met satisfactorily only by a sole source;
- c. is of such compelling urgency that operations would be seriously impaired by delay inherent in following competitive procedures;
- e.d. is a follow-on purchase to a previously-approved order that involves proprietary or patented information not immediately obtainable by other bidders; or,
- ~~e.~~ otherwise is the most economical, effective and appropriate means of fulfilling a demonstrated need.

Sole Source services must be documented using the following "Requisition for Contract Authorization" form. The **Substantiation of Need** and **either the Justification for Sole Source or the Evidence of Prior/Scheduled RFP or Other Competitive Process** must be completed. This form will be retained with project records.

REQUISITION FOR CONTRACT AUTHORIZATION

REQUISITION FOR CONTRACT AUTHORIZATION

Contractor:	Contract Contact
	Telephone:
Services:	Contract Amount:
	Contract Start Date:
	Contract End Date:

NOTE: Respond to all questions below applicable to this contract. Additional pages may be attached as necessary.

SUBSTANTIATION OF NEED: (Include statutory cite, cost savings, if any, and history of the contracting relationship)

RELATIONSHIP BETWEEN PURCHASING AGENT AND CONTRACTOR:

JUSTIFICATION FOR SOLE SOURCE PROCUREMENT: (If applicable)

EVIDENCE OF PRIOR/SCHEDULED RFP, OR OTHER COMPETITIVE PROCESS: