



**Marin Resource Conservation District  
P.O. Box 1146, Point Reyes Station, CA 94956**

**Procurement Policy  
For  
Professional Services**

Introduction

Services covered under this policy include: assessment, planning, design, construction management, monitoring, reporting and related services being provided to the MRCD by firms or individuals practicing professional engineering, land surveying, biology, ecology, hydrology, geomorphology, architecture, environmental planning, agronomy, erosion control and related disciplines (hereafter referred to as professionals).

From time to time the Marin Resource Conservation District (hereafter MRCD) contracts with professionals to develop and/or implement projects and programs consistent with the MRCD's goals and objectives.

The MRCD will consider and, if advantageous to the MRCD, accept unsolicited proposals from qualified professionals to develop and implement projects under the MRCD's direction and sponsorship.

The MRCD may solicit proposals for professional services in the market and/or from known qualified professionals who have notified the MRCD of their interest and availability.

Policy for Unsolicited Proposals from Professionals to the MRCD

Periodically, professionals identify opportunities to develop, fund and implement programs and/or projects which are consistent with the MRCD's goals and objectives.

The MRCD will consider unsolicited proposals from qualified professionals wishing to work under the direction and sponsorship of the MRCD to develop programs and/or projects, prepare requests for funding and perform related services necessary to implement such programs and/or projects.

If and when the MRCD receives funds or a grant to support the implementation or continuation of program, and the funds were received as a result of the MRCD's acceptance of an unsolicited proposal from a professional and the professionals subsequent work to develop the program/project and its funding, then the MRCD may award contracts to the same professional(s) who developed the projects and funding if all of the following conditions are met:

- 1) The professionals are qualified and capable of doing the work to the in accordance with the prevailing standards of the profession at the time the work is to be performed, and
- 2) The MRCD and the professional can agree on fair and reasonable compensation to the professional for the services to be provided, and

3) Sufficient budget exists to perform the required work.

#### Policy for Solicited Proposals

Periodically, the MCRCDD needs to seek the services of a professional(s), and will need to solicit proposals and statements of qualifications from professionals for such services.

The search and selection criteria are based on qualifications and ability to perform the work. Award is made to the most qualified and capable firm able to provide the services at a fair and reasonable price to the MRCD. 'Fair and reasonable' shall be solely the opinion of the MRCD Board of Directors. The MRCD Board of Directors will use prevailing fees in the profession, available budgets, MRCD estimates of costs for the requested work and other factors as guidelines for determining 'fair and reasonable'.

MRCD will adopt additional procurement policies and procedures regarding such matters as solicitation of proposals by invitation, advertising and posting as are necessary to meet the procurement needs of the MRCD and specific projects on an as needed basis.

#### Policy for Consecutive Awards on Continuing Projects

The MRCD engages in programs and projects, which may extend over many years and/or budgeting and funding cycles.

The MRCD may choose, for convenience, to award contracts on an annual or shorter basis, renewing or extending the contracts regularly or periodically for multiple year and multiple phase projects.

Periodic or annual renewals or extensions of contracts and agreements for ongoing professional work on a single program or project shall not be interpreted to be new work requiring selection and award through a competitive process.

The MRCD Board will determine whether or not an award is for ongoing or new work.

#### Prohibitions

No procurement activity carried out under this policy shall result in unlawful activity including but not limited to the following prohibitions.

1. No rebates, kickbacks or other unlawful consideration shall be paid or received.
2. No employee of the MRCD shall participate in the selection process when such employee has a relationship with a person or business entity seeking a contract when such participation in the selection process would create a conflict of interest for such employee.