



**Contra
Costa
County**

To: Board of Supervisors
From: David Twa, County Administrator
Date: April 9, 2019

Subject: REFERRAL TO THE INTERNAL OPERATIONS COMMITTEE FOR EXAMINATION OF
PURCHASING AGENT'S AUTHORITY TO ENGAGE INDEPENDENT CONTRACTORS

RECOMMENDATION(S):

REFER to the Internal Operations Committee a review of the purchasing agent's authority to engage independent contractors, in light of a recent legislative amendment that will permit the County to expand that authority.

FISCAL IMPACT:

No fiscal impact. The recommendation calls only for study and recommendation to the Board of Supervisors.

BACKGROUND:

California Government Code §25502.5 (attached) was amended by Senate Bill 1498, effective January 1, 2019, to increase the statutory authority of the purchasing agent to enter into service contracts from a limit of \$100,000 to a limit of \$200,000.

The County's ordinance code delegates to the purchasing agent the authority to execute service contracts up to the statutory authority, subject to any regulations the County Administrator might promulgate. County policies currently limit the purchasing agent's authority to enter into services contracts to \$100,000. These policies were last updated

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY
ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **04/09/2019** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II Supervisor
Diane Burgis, District III Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: April 9, 2019

David Twa, County Administrator and Clerk of the Board of Supervisors

Contact: Julie DiMaggio Enea
(925) 335-1077

By: Stephanie Mello, Deputy

cc:

following Board action of January 2008.

BACKGROUND: (CONT'D)

The County Administrator is charged with reviewing contracts for operational necessity, policy compliance, and budgetary impact, and verifying that contracts have received the proper legal review by County Counsel. County Counsel reviews contracts as to their legal form and enforceability. Risk Management may also review certain contracts to verify the adequacy of insurance coverage.

Currently, contracts exceeding \$100,000 are submitted to the Board of Supervisors for approval, as well as any contract that deviates significantly from the standard county indemnification or insurance provisions. At each meeting, the Board of Supervisors takes action on an average of 88 Consent Calendar items that require staff preparation, review, approval, distribution and filing. Preparing an item for Board action adds up to three weeks to the processing time for these items. The volume of routine items produces a compendium of documents that must be reviewed by the Board during the 96-hour period between Friday and Tuesday in order to prepare for the Board meeting.

We recommend that the Internal Operations Committee examine and evaluate whether or not it would be beneficial and appropriate to increase, consistent with State statute, the purchasing agent's authority to engage independent contractors from a limit of \$100,000 up to a limit of \$200,000, and report its findings and recommendations to the Board of Supervisors.

ATTACHMENTS

CA Government Code Section 25502.5