



# County of San Mateo

## Inter-Departmental Correspondence

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**Department:** HUMAN RESOURCES

**File #:** 16-470

Board Meeting Date: 8/8/2017

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**Special Notice / Hearing:** None  
**Vote Required:** Majority

**To:** Honorable Board of Supervisors  
**From:** Donna Vaillancourt, Director of Human Resources  
**Subject:** Amendment to Chapter 2.83 (Purchasing Procedures) of the San Mateo County Ordinance Code

### **RECOMMENDATION:**

Adoption of an ordinance amending Chapter 2.83 of Title 2 (Administration) of the San Mateo County Ordinance Code relating to County purchasing procedures, previously introduced on July 25, 2017, and waive reading of the ordinance in its entirety.

### **BACKGROUND:**

The goal of County procurement is to obtain needed goods and services from qualified providers in an equitable, efficient, and cost-effective manner.

As a chartered county, San Mateo County enjoys great leeway in developing procurement procedures and policies. The County's existing procurement ordinance (Ordinance Code Chapter 2.83) was last updated over a decade ago. Since that time, technology has provided options previously unavailable, the courts and legislature have established important new guidance, and County practice has sometimes diverged from the process envisioned by the existing ordinance.

### **DISCUSSION:**

While the County may develop many of its own procurement policies, it remains subject to certain provisions of federal and California statutes and regulations. The proposed amendments are designed to incorporate applicable federal and state requirements, simplify procedures by eliminating provisions that are not required or that have ceased to serve a purpose, bring increased transparency and accountability into County procurement practice, update County procedures to allow additional procurement methods authorized by State law, and align more closely with generally accepted federal, State, and local best practices. In addition to changes in the legal background, the internet has become ubiquitous and is now the preferred method for much communication, including the exchange of contract and procurement documents. The proposed revisions would codify what is now standard County practice and would also eliminate the need for newspaper advertisement of procurements.

Further revisions would allow discretion in the methods of procuring goods and services, as is customary and acceptable under federal and State practice, rather than mandate specific procurement vehicles. The proposed revisions would simplify the procurement process in many instances and would eliminate the limitation on use of on-call services to specified project-specific cases. Finally, the proposed revisions would incorporate recent developments in State law regarding conflict of interest.

County Counsel has reviewed and approved the proposed ordinance as to form.

Adoption of this ordinance aligns with the Shared Vision 2025 of Collaborative Community by promoting fiscal accountability, transparency, and fairness in the acquisition of goods and services necessary to deliver benefits to the community of San Mateo County.

**FISCAL IMPACT:**

While the fiscal impact is difficult to ascertain, the impact of the changes should be positive. The intention is to simplify procurement of goods and services, encourage competitive procurement, ensure that emergency procurements will be eligible for federal reimbursement when qualified, and incorporate technology into County processes where possible. There is no impact to net County costs.