

NEWBERRY COMMUNITY SERVICES DISTRICT

RESOLUTION NO. 2026-_____

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NEWBERRY COMMUNITY SERVICES DISTRICT ADOPTING A COMPREHENSIVE PROCUREMENT POLICY TO ENSURE COMPLIANCE WITH FEDERAL, STATE, AND LOCAL PROCUREMENT REQUIREMENTS

WHEREAS, the Newberry Community Services District ("District") is authorized under the California Community Services District Law to acquire goods, equipment, materials, supplies, construction services, and professional services necessary to carry out its public purposes; and

WHEREAS, the District periodically applies for and receives financial assistance through federal and state grant programs to improve public facilities, infrastructure, emergency services, and community programs; and

WHEREAS, federal grant recipients are required to maintain written procurement policies and procedures that comply with the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, codified in Title 2 of the Code of Federal Regulations (2 CFR Part 200), including Sections 200.317 through 200.327, as amended; and

WHEREAS, California law requires public agencies to conduct procurement activities in accordance with applicable provisions of the California Public Contract Code, Government Code, Labor Code, and other applicable statutes; and

WHEREAS, adoption of a comprehensive Procurement Policy will establish uniform procedures governing the procurement of goods, services, equipment, public works, professional services, and construction while promoting transparency, fiscal accountability, full and open competition, ethical conduct, and sound stewardship of public funds; and

WHEREAS, the Board of Directors finds that adopting a comprehensive Procurement Policy is in the best interests of the District and will strengthen the District's ability to successfully compete for and administer federal and state grant funding.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Newberry Community Services District as follows:

Section 1. Adoption of Procurement Policy

The Board hereby adopts the **Newberry Community Services District Procurement Policy**, attached hereto as **Exhibit A** and incorporated herein by this reference.

Section 2. Applicability

The Procurement Policy shall govern all District procurement activities unless superseded by a more restrictive requirement imposed by federal law, state law, grant conditions, or other applicable legal authority.

Section 3. Federal Grant Compliance

The Board directs that all procurements funded in whole or in part with federal financial assistance shall be conducted in accordance with:

- Title 2, Code of Federal Regulations, Part 200 (Uniform Guidance);
- Applicable federal agency regulations;
- Appendix II to 2 CFR Part 200;
- Build America, Buy America Act (BABA), when applicable;
- Davis-Bacon Act, when applicable;
- All other applicable federal statutes, executive orders, and grant conditions.

Where federal requirements are more restrictive than District policy or state requirements, the federal requirements shall control.

Section 4. Administration

The General Manager is authorized and directed to implement, administer, and enforce the Procurement Policy and may develop administrative procedures, procurement forms, checklists, and standard contract documents necessary to carry out the provisions of the Policy.

Section 5. Delegation of Authority

The General Manager shall administer purchasing activities within the limits established by the Procurement Policy and annual budget.

Department Heads, including the Fire Chief, may exercise purchasing authority delegated by the General Manager in accordance with the Procurement Policy and all applicable laws.

Section 6. Training

District staff involved in procurement, contract administration, grant management, or purchasing activities shall receive appropriate training regarding the requirements of the Procurement Policy and applicable federal and state procurement regulations.

Section 7. Periodic Review

The Procurement Policy shall be reviewed periodically by the General Manager and legal counsel, as appropriate, to ensure continued compliance with applicable laws, regulations, and grant requirements. The Board may amend the Policy by resolution as necessary.

Section 8. Severability

If any provision of this Resolution or the Procurement Policy is determined to be invalid or unenforceable, such determination shall not affect the validity of the remaining provisions.

Section 9. Effective Date

This Resolution shall become effective immediately upon its adoption.

PASSED, APPROVED, AND ADOPTED by the Board of Directors of the Newberry Community Services District at a regular meeting held on the ____ day of _____, 2026, by the following vote:

AYES

NOES

ABSENT

ABSTAIN

NEWBERRY COMMUNITY SERVICES DISTRICT

President, Board of Directors

ATTEST:

Secretary of the Board

CERTIFICATION

I, _____, Secretary of the Board of Directors of the Newberry Community Services District, hereby certify that the foregoing Resolution No. 2026-____ was duly adopted by the Board of Directors at a meeting held on _____, 2026.

Secretary of the Board