

**McCLOUD COMMUNITY SERVICES DISTRICT**  
**Policy and Procedure Manual**

**POLICY TITLE:** Retaining Services of Consultants and Contractors  
**POLICY NUMBER:** 1100  
**ADOPTED:** March 14, 2005  
**REVIEWED:** 12/18/13, 05/09/18, 01/08/20  
**REVISED:** 02/24/14, 05/29/18, 02/10/20

**1100.10** California Government Code 61244 authorizes the District Board of Directors to appoint or retain, fix the compensation of and prescribe the authorities and duties of consultants such as, but not limited to, attorneys, engineers and auditors necessary or convenient for the business of the District.

**1100.20** To allow local governments to develop productive and efficient relationships with professional consultants, competitive bidding is not required when hiring consultants such as engineers, accountants and attorneys. Consultants will be required to provide résumés and fee information that will be used to evaluate candidates in the selection process. Although low cost services are important to the District, qualifications and accessibility are equally, if not more important. To ensure that the District receives the highest quality services from professional consultants, the following criteria shall guide the selection process.

**1100.21 Engineers:** District staff may directly interview, or interview following a Request for Proposals process, to secure an engineering firm appropriate for the work to be performed. Staff may then negotiate a scope of work, an hourly rate and/or proposed “not to exceed” fee and shall present the engineer’s proposal for Board of Directors approval.

**1100.211** Criteria for staff selection of engineers include, but is not limited to, familiarity with the District’s infrastructure or facility on which the engineering work is proposed, past performance, fee as compared to the hourly rate of other firms, experience in the proposed engineering work and references.

**1100.22 General Legal Counsel:** Legal Counsel for the District shall be selected by the Board of Directors based on the following criteria, listed in no particular order:

**1100.221** Qualifications. Especially important is the attorney’s experience in the area of public agency law with an emphasis on the importance of experience in community services district law.

**1100.222** Accessibility. District Counsel may be required to attend regular and special meetings or teleconference with the District Board of Directors and must be available to do so without unreasonable delay or extensive costs.

**1100.223** Staff use of Legal Services. The General Manager and in the absence of the General Manager, the representative shall request a brief written summary of all legal opinions received.

**1100.23** Auditor: District staff shall develop a Request for Proposal (RFP) - to be used to review the qualifications and cost proposal from qualified auditing firms. The frequency of publishing RFPs will be determined by the Board of Directors.

**1100.30** Construction Contractors: Construction projects will be advertised for bid in local and regional newspapers, on our web site, with the Contractors Exchange and subject to competitive bidding where applicable in compliance with the Uniform Public Construction Contract Act.

**1100.40** Any consultants or contractors that work for the district whether hired by the Board of Directors or staff and approved by the Board of Directors works for the district as a whole not individual MCSD employees or Board of Director members. Any questions to the consultant or contractors by an individual must go through the district General Manager or District Board of Directors as a whole.