



**Santa Clara Valley Water District**  
5750 Almaden Expressway  
San Jose, California 95118  
PH: (408) 265-2600  
FAX: (408)979-5628

## **GUIDE TO DOING BUSINESS WITH THE SANTA CLARA VALLEY WATER DISTRICT**

Thank you for your interest in the Santa Clara Valley Water District. The mission of the District is to provide for a healthy, safe, and enhanced quality of living in the Santa Clara County through watershed stewardship and comprehensive management of water resources in a practical, cost-effective, and environmentally sensitive manner for current and future generations.

### **INTRODUCTION**

The District is the primary water resources management agency for the County of Santa Clara in California. The District, as a water wholesaler, is responsible for clean, safe, and reliable water supply to homes and businesses in the County. The District is also responsible for flood protection and stream stewardship. These responsibilities include construction projects, creek restoration, pollution prevention projects, wildlife habitat restoration, and maintenance of streams, creeks, and reservoirs.

The District supports the local economy and businesses by providing opportunities for companies and the creation of jobs. Annually, the District buys approximately \$40 million in goods and services. Approximately \$14 million is for consulting services and approximately \$26 million is for goods and general services.

Over the past decade, the District has awarded more than \$400 million in capital construction contracts. The annual expenditure for capital construction contracts is dependent on the capital improvement plan and the projects scheduled to be constructed each year.

This guide provides an overview of the District's procurement process for goods, general services, and consulting services. It is not intended to be a comprehensive vendor training manual. Each solicitation document contains detailed instructions to bidders for that particular procurement. Vendors should review each document thoroughly and follow its instructions precisely. Questions about specific procurements should be addressed to the District's procurement staff identified in the solicitation document. Further information is also available on the District's website located at [www.valleywater.org](http://www.valleywater.org).

## **GOODS AND SERVICES USED BY THE DISTRICT**

The District buys goods and supplies for various purposes: environmental and engineering projects, health and safety needs, construction, transportation, and administration. The products range from office supplies to laboratory chemicals to construction equipment and tools, to automobiles to water meters and valves.

The District also buys services that are classified as general, professional, and non-professional services. They services range from janitorial services to consulting services to financial services.

The document titled Goods and Services used by the District available on the District's website located at [www.valleywater.org](http://www.valleywater.org) provides further information.

## **REQUIREMENTS TO DO BUSINESS WITH THE DISTRICT**

You or your company must be a registered business and must complete and submit the IRS Form W-9 Request for Taxpayer Identification Number and Certification. The District, as a government agency, is required to comply with Federal, State, and Local regulations. As a result some of these regulations apply to businesses that provide goods or services to the District. The District requirements are included in the document titled Terms and Conditions available on the District's website located at [www.valleywater.org](http://www.valleywater.org).

## **REGISTERING YOUR BUSINESS WITH THE DISTRICT**

Registration with the District on the type of work or service or goods (See the document titled Goods and Services used by the District available on the District's website located at [www.valleywater.org](http://www.valleywater.org) for further information) your business intends to provide the District.

For goods and general services, including public works construction under \$25,000, please submit a Supplier Registration form (available on the District website located at [www.valleywater.org](http://www.valleywater.org)) to the Purchasing Unit staff at the District. The information will be entered into our supplier database. If you need assistance please contact the Purchasing Unit staff at 408-265-2607, ext. 2888.

For consulting services over \$25,000 please self register on the District's on the Contract Administration System website at <http://cas.valleywater.org/index.jsp> . If you need assistance registering your business on the Contract Administration System please contact 408-265-2607, ext. 2992.

For public works construction over \$25,000 please contact Capital Program Planning and Analysis Unit Manager at (408) 265-2607, ext. 2682

## **COMPETITIVE PROCUREMENT METHODS**

Following is a summary of the District's competitive procurement methods. The process descriptions below are typical and if you need clarification please contact District staff in the respective units for further information.

## **FOR GOODS AND GENERAL SERVICES**

### **Informal Quotations (\$25,000 to \$50,000)**

District procurements of goods and general services valued between \$25,000 and \$50,000 must be competitively bid, but may use an “informal” process. After the District staff issue the Request for Quotations, vendors may submit responses by email, fax, U.S. mail, courier, or in person. The quotations must be received by the due date and time and in the required format. Purchasing staff will evaluate the quotations and identify the bidder who offers the lowest price, meets all of the bidding requirements, and is determined to be capable of successfully fulfilling all requirements of the contract. Purchasing Unit staff will then issue a Purchase Order to the successful bidder. Please allow a minimum of three (3) work days before calling the Purchasing Unit staff to inquire about bid results.

### **Formal Invitations to Bid**

District procurements of goods and general services over \$50,000 and public works construction services (up to \$25,000 is managed by the Purchasing Unit staff and above \$25,000 is managed by the Capital Program Planning and Analysis Unit) must be competitively bid through Invitations to Bid. Since this is a “formal” process, the bidding opportunity is advertised on the District’s website at [www.valleywater.org](http://www.valleywater.org). Only hardcopy, sealed bids will be accepted; and all sealed bids received by the due date and time will be publicly opened and read aloud. You are welcome to attend the public bid opening where you will be able to identify the “apparent” low bidder. The actual low bidder will not be determined until Purchasing Unit staff has thoroughly reviewed and evaluated the bids. When that process is complete, the staff will issue a Notice of Intent to Award to all bidders. Please do not contact the Purchasing Unit staff to inquire about bid results prior to receiving this notice. At this point, you will have an opportunity to submit a bid protest, if appropriate. For more information, please refer to the Solicitation Protest link on the District’s website at [www.valleywater.org](http://www.valleywater.org). The Purchasing Unit staff is responsible for issuing a Purchase Order to the successful bidder. Closed bid results are posted on this website.

### **Requests for Proposals**

Occasionally, a Purchasing Unit staff will determine if it is in the District’s best interest to award a contract, based upon factors like best value, in addition to price. In such situations, the District will issue a Request for Proposals. You will be asked to submit a written proposal and if your response is selected, District staff will negotiate a contract with you. The District’s Bid Protest procedure also applies to this procurement method. For more information, please refer to the Solicitation Protest link on the District’s website at [www.valleywater.org](http://www.valleywater.org).

## **FOR CONSULTING SERVICES**

### **Requests for Proposals**

All competitive solicitations for consulting services above \$25,000 are procured through Requests for Proposals. The selection of the consultant is based upon factors like best value in addition to price. You will be asked to submit a written proposal and if your response is selected, District staff will negotiate a contract with you. The District’s Bid Protest procedure also applies to this procurement method. For more information, please refer to the Solicitation Protest link on the District’s website at [www.valleywater.org](http://www.valleywater.org).

## **FOR CAPITAL CONSTRUCTION SERVICES ABOVE \$25,000**

### **Formal Invitations to Bid**

Public works construction services above \$25,000 are managed by the Capital Program Planning and Analysis Unit (up to \$25,000 is managed by the Purchasing Unit staff). All competitive solicitations for are procured through a bid process. The selection is based upon the lowest price. The District's solicitations are posted on the District's website at [www.valleywater.org](http://www.valleywater.org). The District's Bid Protest procedure also applies to this procurement method. For more information, please refer to the Solicitation Protest link on the website.

### **NON-COMPETITIVE PROCUREMENT METHODS**

In the interest of expediency and repeated small dollar value purchases, the State regulations allow government agencies to purchase goods and services without a competitive process. Listed below is a summary of the methods and processes used by the District.

#### **District Purchasing Cards**

Authorized District employees have been issued a Mastercard for small dollar purchases. While these cards have been issued in the employee's name, the District is responsible for paying all debts incurred in the use of the card. Vendors should always request picture identification when charging against these cards; sales should not be made to anyone other than the person whose name appears on the card. In addition, each purchasing card has an individual transaction and 30-day purchase limit. Vendors are requested to honor those limits and not split charges to exceed the transaction or 30-day purchase limits or to circumvent the District's policies, even if requested to do so by the cardholder.

#### **Discretionary Solicitation (\$25,000 or less)**

District policies and procedures do not require competitive bidding on procurements valued at \$25,000 or less. However, depending upon the goods or services to be purchased, the District's buyer may determine that it is in the District's best interest to request competitive quotations.

#### **Sole or single source solicitations**

Sometimes there is a compelling urgency or it is in the best interest of the District to purchase a product or service because it is the best use of public funds or because not obtaining the product or service might cause harm, injury, or unnecessary expense. At other times, the District might be bound by warranties, proprietary products, territorial limitations, compatibility, and other factors that require the District to purchase products or services only from those businesses. In any of those situations, the District determines whether the product or service should be obtained through a competitive process or not, evaluates each situation, and then obtains the product or service.

### **CONTRACTS**

The District typically awards one of the following types of contracts:

- A single transaction purchase order
- A blanket purchase order with a contract term of three years or less
- Short or long form agreements
- Standard consulting agreement

A purchase order may be accompanied by an agreement executed by both parties. To ensure payment, you should never deliver goods or begin performing a service until you have a purchase order in hand. Also, to ensure payment, you should never deliver or perform outside the scope of the original purchase order unless you have received written authorization from the Purchasing Unit staff or after you have received an authorized amendment to the consulting agreement from Consultant Contracts Program staff. For more information, on the agreements please refer to the District's website at [www.valleywater.org](http://www.valleywater.org).

## **INVOICING AND PAYMENT**

Payment is made only upon delivery and acceptance of goods and services in accordance to the terms on your contract and must include the following information:

- Full legal business name.
- Complete Remittance address.
- A unique invoice number.
- The purchase order number.
- The invoice date (the date the invoice is mailed).

Please include the Purchase Order number on all invoices, shipping tags, and correspondence with the District. To avoid payment delays, your invoice should be mailed to Accounts Payable at the address listed on the purchase order, and the items and prices must match those listed on the purchase order. The District endeavors to pay invoices within thirty (30) days. The District is subject to California sales and use tax; however, this tax is not shown on District purchase orders. The District is exempt from Federal excise tax.

## **SMALL AND LOCAL BUSINESS PROGRAM**

The District actively promotes small businesses in the County. As a method to encourage small business participation in the District's business opportunities, the District offers a preference during bid and proposal evaluation to certified small businesses. To equalize competitive disadvantages some local businesses face and encourage businesses to establish and remain in the County, the District's Board of Directors has adopted a local business preference policy. This policy includes provisions which grant preferences to local businesses during the evaluation of bids and proposals.

For more information on the District's Small and Local Business Enterprise Program please visit the District's website at <http://www.valleywater.org/small-local-business.aspx>

## **CONTRACTOR SAFETY PROGRAM**

The District is committed to minimizing risk to the public, to contractors, and to District employees by contracting only with businesses whose safety programs meet District standards. With that goal in mind, if bidding on work that involves certain high risk activities, you will be required to complete and submit a Contractor Safety Qualification Packet with your bid. Work that requires this submittal includes construction, maintenance and any other activity that has associated life safety critical tasks or operations, such as assembly and use of scaffolding, lockout/tagout, confined space entry, working at

elevated locations, live electrical work, excavation or trenching, tunneling, hot work, or any other activity that requires specialized training to prevent serious injury or a catastrophic event. The Contractor Safety Qualification Packet will be included in the solicitation documents for each project. Questions about safety requirements should be addressed with the District's Environmental Health and Safety Manager at 408-265-2607 ext. 2431.

## **INSURANCE REQUIREMENTS**

Depending upon the type of procurement, the District may require bidders to submit proof of required insurance coverage prior to contract award. The specific insurance requirements will be included in the solicitation documents. Questions about insurance requirements should be addressed with the District's Risk Manager at 408-265-2607 ext. 2213.

## **CONTRACTOR WAGE REQUIREMENTS**

### **Prevailing Wage**

In accordance with State law, certain District contracts require that the contractor pay its employees prevailing wages for certain categories of workers as determined by the Director of the State of California Department of Industrial Relations. If this is the case, the requirement will be included in the District's solicitation document. Questions about prevailing wages in the State of California should be addressed to the Division of Labor Statistics and Research, Prevailing Wage Unit, PO Box 420603, San Francisco, CA 94142. (415) 703-4774.

### **Living Wage**

It is the District's policy that persons doing work on, for or on behalf of the District must be paid a living wage, be provided with or able to afford health insurance, have reasonable time off, not be subject to lay off merely because the District changes contractors, and work in an environment of labor peace. It is important that bidders thoroughly understand and recognize this policy when preparing their bids and throughout the contract term, including extensions, if awarded a contract. For more information please visit the District's website at [www.valleywater.org](http://www.valleywater.org) and click the link for Living Wage Policy under the Business menu.

## **GIFTS AND GRATUITIES**

It is the policy of the District that it conducts its business in a fair and ethical manner. The District employees and Board members are governed by Section 81000 of the Government Code also known as the Political Reform Act. Consultants, contractors, vendors and others who do business or intend to do business with the District are also governed by the Act. Please visit the Fair Political Practices Commission's website at [www.fppc.ca.gov](http://www.fppc.ca.gov).

## **CONTACT INFORMATION**

The District's main telephone number is 408-265-2607. Please use the extension numbers below to contact staff. Contact information is also available within the web pages of the respective units listed below.

For Goods, Services (general), and Public Works construction (less than \$25,000)	x 2888
For Consulting Services (professional and non-professional)	x 2992
For Public Works Construction (above \$25,000)	x 3088