

SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



ITEM: 3.4  
(ID # 12017)

MEETING DATE:  
Tuesday, March 10, 2020

FROM : EXECUTIVE OFFICE:

SUBJECT: EXECUTIVE OFFICE: Board Policy Manual Update to Amend A-8, B-11, & H-7; All Districts. [\$0]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve revisions to the following Board Policies: A-8 Authorization of Facsimile and Digital Signatures; B-11 Award of Public Works Contracts Pertaining to County Facilities and Certain Other Improvements, and H-7 Selection of Architectural, Engineering and Real Estate Related Services; and,
2. Direct the Clerk of the Board to update the Board Policy website with the revised Board policies.

ACTION: Policy

Lisa D Brandl 3/3/2020

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MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Perez, seconded by Supervisor Hewitt and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Jeffries, Spiegel, Washington, Perez and Hewitt  
Nays: None  
Absent: None  
Date: March 10, 2020  
xc: EO, COB

Kecia R. Harper  
Clerk of the Board  
By:   
Deputy

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,  
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<b>FINANCIAL DATA</b>	<b>Current Fiscal Year:</b>	<b>Next Fiscal Year:</b>	<b>Total Cost:</b>	<b>Ongoing Cost</b>
<b>COST</b>	\$0	\$0	\$0	\$0
<b>NET COUNTY COST</b>	\$0	\$0	\$0	\$0
<b>SOURCE OF FUNDS:</b>			<b>Budget Adjustment: No</b>	
			<b>For Fiscal Year: 19/20</b>	

**C.E.O. RECOMMENDATION:** Approve

**BACKGROUND:**

**Summary**

The Executive Office and County Counsel are in the process of comprehensively reviewing and updating the Board of Supervisors Policy Manual. Staff has consulted with County Counsel for consistency of board policies with current laws, regulations and ordinances. The proposed revisions shown above are part of a comprehensive update to the Board Policy Manual. As review of the current policies proceeds, staff will periodically bring forward specific revisions to the Board of Supervisors for approval in order to align current County operations with the Board Policy Manual.

On Tuesday January 28 Item 3.7 the Board of Supervisors directed the Executive Office to amend Board Policies H-7, Selection of Architectural and Real Estate Related Services, and B-11, Award of Public Works Contracts Pertaining to County Facilities and Certain Other Improvements to allow the Sheriff's Department as an authorized entity under specific circumstances, and return to the Board with amendments to the policies.

This F11 is seeking approval of the amended Board Policies:

- **H-7, Selection of Architectural and Real Estate Related Services and,**
- **B-11, Award of Public Works Contracts Pertaining to County Facilities and Certain Other Improvements**

These policies were amended to include the Sheriff's Department as an authorized entity to procure professional facilities services for the construction of public works projects as it relates to their specialized County mission, or real property acquisition. The Economic Development Agency has been replaced by Facilities Management within the policy.

**A-8 Authorization of Facsimile and Digital Signatures**

Due to available technology, communications, agreements and other documents are frequently composed and executed within an electronic system to improve County efficiencies. This policy was amended to provide procedures and a guideline to departments using the facsimile or digital signatures.

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**ATTACHMENTS:  
Final Version B-11  
Final Version H-7  
Redline B-11  
Redline H-7  
Final Version A-8**

**COUNTY OF RIVERSIDE, CALIFORNIA**  
**BOARD OF SUPERVISORS POLICY**

<b>Subject:</b>	<b>Policy</b>
<b>AWARD OF PUBLIC WORKS CONTRACTS PERTAINING</b>	<b><u>Number</u></b>
<b>TO COUNTY FACILITIES AND CERTAIN OTHER IMPROVEMENTS</b>	<b>B-11</b>
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**Policy:**

This policy provides specific guidance for the approval/award of public works contracts, certain improvements for a county facility. Public works projects, as herein defined, are works which involve the erection, construction, alteration, painting, repair or improvement of any county structure, building or facility that will be used, occupied, or owned by a county entity.

This policy applies to departments, agencies, districts and authorities governed by the Board of Supervisors unless specifically exempted by the Board. This policy is not intended for capital projects carried out in the normal course of business by the Riverside County Flood and Water Conservation District, Regional Parks and Open Space District, Transportation and Land Management Agency (TLMA), Housing Authority, and the Waste Management Department. These agencies and districts must adhere to specific government statutes for their public works projects.

It is the intent of this policy to implement or otherwise to be consistent with provisions of Board Policy A-69 "Best Practices in Contract Management", Board Policy B-22 "Capital Improvement Program", Board Policy H-7 "Selection of Architectural, Engineering and Real Estate Services", California Government Code Sections 25502.5(a) and 4525-4529.5 (Mini-Brooks Act), the California Public Contract Code, Uniform Public Construction Cost Accounting Act (UPCCA) procedures, other applicable state codes, and ordinances, resolutions or policies of the county which may govern the approval of projects and contracts for erection, construction, alteration, repair or improvement of county structures, buildings, or facilities.

A Capital Improvement Program (CIP) team consisting of members from the Executive Office, Facilities Management, and the Riverside County Information Technology Department has been created to oversee the stewardship of the county's capital improvement plan (Board Policy B-22).

**I. Definitions**

- A. With respect to this Policy, a public works contract "Contract", as herein defined, is the legally binding agreement that prescribes the work or services for a public works project pertaining to a county facility.
- B. A public works project "Project" shall mean the sum of the public works contracts which prescribe the work or services pertaining to a county facility. Services include, but are not limited to: architectural, engineering, geotechnical services, demolition services, water quality management, construction project

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management, real estate, environmental assessment and regulatory compliance services.

- C. A public works project pertaining to a county facility that exceeds \$100,000 shall have the same meaning as a capital improvement project as defined in Board Policy B-22 "Capital Improvement Program".
- D. "Authorized Entity" means the designated department providing project management responsibilities for the project and having the authorization to construct public works projects as it relates to their specialized County mission. The Sheriff's department has been approved to be an authorized entity.

**II. Award of Contracts**

- A. Public works projects of twenty-five thousand dollars (\$25,000) or less may be performed by the Authorized Entity on a purchase order let by the county purchasing agent (or designee) as set forth in Section 22032 of the California Public Contract Code.
- B. Public works projects of one hundred thousand dollars (\$100,000) or less may be let to contract on behalf of the Authorized Entity by the county purchasing agent (or designee) following "informal bidding procedures" as set forth in Section 22034 of the California Public Contract Code and as set forth in County Ordinance 757.2. Public works projects of \$100,000 or less do not require specific Board approval. However, the following provisions do apply:
  - 1. The program, plans, specifications and project budget must be approved by the Authorized Entity with concurrence from the requesting county department, agency, district, or authority.
  - 2. The project budget must include a contingency allowance equal to at least 5% but not more than 10% of the construction cost estimate.
  - 3. The plans must incorporate the county's design standards for materials and equipment.
  - 4. Where additional general fund support, herein called "new net county cost", is identified as the proposed source of funds for any portion of the professional services contract or public works improvements, Board Policy B-22 shall apply.
  - 5. Public works contracts may not be split or separated into smaller work orders or projects for the purpose of evading the provisions of Board Policy B-22.

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C. Public works projects of more than one hundred thousand dollars (\$100,000) are subject to the requirements of Board Policy B-22 and must be approved by the Board of Supervisors and will, except as otherwise provided in this policy, be let to contract utilizing "formal bidding procedures" as specified in Section 22032(c), et seq of the California Public Contract Code. The selection process shall comply with California Government Code Sections 25502.5(a) and 4525-4529.5 (Mini-Brooks Act).

1. Where a public works project is to be performed, a notice inviting formal bids shall be mailed by the Clerk of the Board to all construction trade journals. The notice shall be published at least fourteen (14) calendar days before the date of opening the bids in a newspaper of general circulation, printed and published in Riverside County. The notice will state the time and place for the receiving and opening of sealed bids and distinctly describe the capital facilities project. In addition to notice specified, the Clerk may also give such other notice as it is directed by the Board.
2. The plans and specifications for all projects must be presented to the Board of Supervisors prior to the initiation of the formal bidding process. Board approval of the plans, specifications and project budget will constitute authority for the Clerk of the Board to advertise for bids and for the Chairman to sign a construction contract with the successful low bidder, provided that the lowest bid from a responsible bidder is within the total approved project budget approved by the Board, and the bid is fully responsive to the bidding documents. All contract documents are to be approved as to form by County Counsel.
3. The project plans and specifications, approved by the Board, will be made available for general public and bidder review.
4. All formal process bids are to be opened by the Clerk of the Board. If the low bid is within the total approved project budget, a contract with the low bidder, approved as to form by County Counsel, will be submitted to the Chairman of the Board for signature on the county's behalf. However, the Authorized Entity must submit the contract via a Form 11 to the Board for action when:
  - The low bid exceeds the estimated construction cost thus causing the total project cost to exceed the total approved project budget.
  - There is a formal protest by an unsuccessful bidder(s).
  - The low bidder is disqualified.

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- If two or more bids are the same and they are the lowest.
  - Whenever a bidder requests relief from a bid due to an error.
  - Anytime the Chairman decides that further Board action is warranted.
5. If no bids are received through the formal procedure, the Authorized Entity will review the process and determine if modifications can be made that will most likely result in a successful bid process if repeated. If the Authorized Entity determines that no modifications can be made and/or the second try is unsuccessful, the Authorized Entity will report this outcome to the Board via a Form 11 and request authorization to have the project performed by employees of the county, or to negotiate a contract consistent with the project budget without further bidding.
6. The Authorized Entity may submit to the Board of Supervisors recommendations for rejection of any capital project bids presented with a recommendation to either:
- Abandon the capital project or re-notice an invitation for bids in the manner described by this policy;
  - Adopt a resolution (requiring a four-fifths vote of the Board), which declares that the project can be performed more economically by employees of the county, thus having the project carried out by force account.

**III.Changes and Additions**

- A. Change orders are generally costly and require an inordinate amount of management effort. Therefore, it is the intent of this policy that change orders be held to a minimum and normally used to deal with unforeseen circumstances and constructability problems. Change orders are not normally to be used for elective changes that are not critical to function or costs.
- B. Whenever the Board enters into a contract for the erection, construction, alteration, or repair of any county structure, building or facility that will be used, occupied or owned by a county entity, the contract is not to be altered or changed in any manner except:

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1. By order adopted by four-fifths vote of the Board, and the consent of the contractor;
  2. As provided for in the contract itself, or specifications; or
  3. By adoption of an ordinance, resolution, or board order, authorizing the Authorized Entity, to order changes or additions in the work being performed under construction contracts.
- C. When so authorized by the Board, changes or additions in the work may be ordered in writing by the Authorized Entity (or designated party). Any changes or additions will be in accordance with written contract procedures for changed work and be an integral part of the contract work, which cannot be accomplished feasibly and economically by separate contract. Delegated change order authority to the Authorized Entity shall be in accordance with Public Contract Code 20142 as follows:
1. Up to 10 percent of the amount of any original contract that does not exceed two hundred fifty thousand dollars (\$250,000).
  2. For contracts whose original cost exceeds two hundred fifty thousand dollars (\$250,000), the extra cost for any change or addition to the work so ordered will not exceed: Twenty-five thousand dollars (\$25,000), plus five (5) percent of the amount of the original contract cost in excess of two hundred fifty thousand dollars (\$250,000) to a maximum of \$210,000.

**IV. Emergency Action**

In the case of an emergency (as defined by Public Contract Code Section 1102, "... [which] means a sudden, unexpected occurrence that poses a clear and imminent danger, requiring immediate action to prevent or mitigate the loss or impairment of life, health, property, or essential public services"), the Board of Supervisors may by four-fifths vote (in accordance with Public Contract Code Section 22050) repair or replace a public facility, take any directly related and immediate action required by that emergency, and procure the necessary equipment, services, and supplies for those purposes. The Board by four-fifths vote may elect to delegate by resolution or ordinance, to an appropriate non-elected county officer, authority to order the preceding actions on its behalf.

Through Resolution No. 2003-23, the Board delegated to the Director of Facilities Management, authority for emergency repairs and replacement within the county facilities without giving notice for bids to let contracts



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subject to the requirements and reporting procedures described in Chapter 2.5 of the California Public Contract Code, commencing with Section 22050.

Upon utilization of this authority a report will be made to the Board for ratification of all actions which exceed contractual authority of the director of Facilities Management or the county purchasing agent.

**Reference:**

- Minute Order 3.20 of 09/03/85
- Minute Order 3.17 of 05/02/89
- Minute Order 3.17 of 09/11/90
- Minute Order 3.34 of 05/12/92
- Minute Order 3.21 of 04/06/93
- Minute Order 3.13 of 11/04/03
- Minute Order 3.3 of 04/10/07
- Minute Order 3-5 of 07/02/13
- Minute Order x-x of xx/xx/xxxx

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It is the intent of this policy to implement or otherwise to be consistent with provisions of Board Policy A-69 "Best Practices in Contract Management", Board Policy B-22 "Capital Improvement Program", Board Policy H-7 "Selection of Architectural, Engineering and Real Estate Services", California Government Code Sections 25502.5(a) and 4525-4529.5 (Mini-Brooks Act), the California Public Contract Code, Uniform Public Construction Cost Accounting Act (UPCCA) procedures, other applicable state codes, and ordinances, resolutions or policies of the county which may govern the approval of projects and contracts for erection, construction, alteration, repair or improvement of county structures, buildings, or facilities.

A Capital Improvement Program (CIP) team consisting of members from the Executive Office, Facilities Management, and the Riverside County Information Technology Department has been created to oversee the stewardship of the county's capital improvement plan (Board Policy B-22).

**I. Definitions**

- A. With respect to this Policy, a public works contract "Contract", as herein defined, is the legally binding agreement that prescribes the work or services for a public works project pertaining to a county facility.
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management, real estate, environmental assessment and regulatory compliance services.

- C. A public works project pertaining to a county facility that exceeds \$100,000 shall have the same meaning as a capital improvement project as defined in Board Policy B-22 "Capital Improvement Program".
- D. "Authorized Entity" means the designated department providing project management responsibilities for the project and having the authorization to construct public works projects as it relates to their specialized County mission. The Sheriff's department has been approved to be an authorized entity.

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- B. Public works projects of one hundred thousand dollars (\$100,000) or less may be let to contract on behalf of the Authorized Entity by the county purchasing agent (or designee) following "informal bidding procedures" as set forth in Section 22034 of the California Public Contract Code and as set forth in County Ordinance 757.2. Public works projects of \$100,000 or less do not require specific Board approval. However, the following provisions do apply:
  - 1. The program, plans, specifications and project budget must be approved by the Authorized Entity with concurrence from the requesting county department, agency, district, or authority.
  - 2. The project budget must include a contingency allowance equal to at least 5% but not more than 10% of the construction cost estimate.
  - 3. The plans must incorporate the county's design standards for materials and equipment.
  - 4. Where additional general fund support, herein called "new net county cost", is identified as the proposed source of funds for any portion of the professional services contract or public works improvements, Board Policy B-22 shall apply.
  - 5. Public works contracts may not be split or separated into smaller work orders or projects for the purpose of evading the provisions of Board Policy B-22.

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- C. Public works projects of more than one hundred thousand dollars (\$100,000) are subject to the requirements of Board Policy B-22 and must be approved by the Board of Supervisors and will, except as otherwise provided in this policy, be let to contract utilizing "formal bidding procedures" as specified in Section 22032(c), et seq of the California Public Contract Code. The selection process shall comply with California Government Code Sections 25502.5(a) and 4525-4529.5 (Mini-Brooks Act).
1. Where a public works project is to be performed, a notice inviting formal bids shall be mailed by the Clerk of the Board to all construction trade journals. The notice shall be published at least fourteen (14) calendar days before the date of opening the bids in a newspaper of general circulation, printed and published in Riverside County. The notice will state the time and place for the receiving and opening of sealed bids and distinctly describe the capital facilities project. In addition to notice specified, the Clerk may also give such other notice as it is directed by the Board.
  2. The plans and specifications for all projects must be presented to the Board of Supervisors prior to the initiation of the formal bidding process. Board approval of the plans, specifications and project budget will constitute authority for the Clerk of the Board to advertise for bids and for the Chairman to sign a construction contract with the successful low bidder, provided that the lowest bid from a responsible bidder is within the total approved project budget approved by the Board, and the bid is fully responsive to the bidding documents. All contract documents are to be approved as to form by County Counsel.
  3. The project plans and specifications, approved by the Board, will be made available for general public and bidder review.
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- If two or more bids are the same and they are the lowest.
  - Whenever a bidder requests relief from a bid due to an error.
  - Anytime the Chairman decides that further Board action is warranted.
5. If no bids are received through the formal procedure, the Authorized Entity will review the process and determine if modifications can be made that will most likely result in a successful bid process if repeated. If the Authorized Entity determines that no modifications can be made and/or the second try is unsuccessful, the Authorized Entity will report this outcome to the Board via a Form 11 and request authorization to have the project performed by employees of the county, or to negotiate a contract consistent with the project budget without further bidding.
6. The Authorized Entity may submit to the Board of Supervisors recommendations for rejection of any capital project bids presented with a recommendation to either:
- Abandon the capital project or re-notice an invitation for bids in the manner described by this policy;
  - Adopt a resolution (requiring a four-fifths vote of the Board), which declares that the project can be performed more economically by employees of the county, thus having the project carried out by force account.

**III.Changes and Additions**

- A. Change orders are generally costly and require an inordinate amount of management effort. Therefore, it is the intent of this policy that change orders be held to a minimum and normally used to deal with unforeseen circumstances and constructability problems. Change orders are not normally to be used for elective changes that are not critical to function or costs.
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1. By order adopted by four-fifths vote of the Board, and the consent of the contractor;
  2. As provided for in the contract itself, or specifications; or
  3. By adoption of an ordinance, resolution, or board order, authorizing the Authorized Entity, to order changes or additions in the work being performed under construction contracts.
- C. When so authorized by the Board, changes or additions in the work may be ordered in writing by the Authorized Entity (or designated party). Any changes or additions will be in accordance with written contract procedures for changed work and be an integral part of the contract work, which cannot be accomplished feasibly and economically by separate contract. Delegated change order authority to the Authorized Entity shall be in accordance with Public Contract Code 20142 as follows:
1. Up to 10 percent of the amount of any original contract that does not exceed two hundred fifty thousand dollars (\$250,000).
  2. For contracts whose original cost exceeds two hundred fifty thousand dollars (\$250,000), the extra cost for any change or addition to the work so ordered will not exceed: Twenty-five thousand dollars (\$25,000), plus five (5) percent of the amount of the original contract cost in excess of two hundred fifty thousand dollars (\$250,000) to a maximum of \$210,000.

**IV. Emergency Action**

In the case of an emergency (as defined by Public Contract Code Section 1102, "... [which] means a sudden, unexpected occurrence that poses a clear and imminent danger, requiring immediate action to prevent or mitigate the loss or impairment of life, health, property, or essential public services"), the Board of Supervisors may by four-fifths vote (in accordance with Public Contract Code Section 22050) repair or replace a public facility, take any directly related and immediate action required by that emergency, and procure the necessary equipment, services, and supplies for those purposes. The Board by four-fifths vote may elect to delegate by resolution or ordinance, to an appropriate non-elected county officer, authority to order the preceding actions on its behalf.

Through Resolution No. 2003-23, the Board delegated to the Director of Facilities Management, authority for emergency repairs and replacement within the county facilities without giving notice for bids to let contracts

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subject to the requirements and reporting procedures described in Chapter 2.5 of the California Public Contract Code, commencing with Section 22050.

Upon utilization of this authority a report will be made to the Board for ratification of all actions which exceed contractual authority of the Director of Facilities Management or the county purchasing agent.

**Reference:**

Minute Order 3.20 of 09/03/85  
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Minute Order 3-5 of 07/02/13  
Minute Order x-x of xx/xx/xxxx

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**Subject:**  
**SELECTION OF ARCHITECTURAL, ENGINEERING  
AND REAL ESTATE RELATED SERVICES**

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**Policy:**

This policy provides specific guidance in selecting contracted Professional Facilities Services within cost and time constraints, to foster innovations in construction, provide economic opportunity for Riverside County firms, solicit expertise outside the County where it is advantageous to the County's interest, and award public contracts at fair and reasonable prices. The County shall strive for optimal results in capital outlay projects through careful selection of appropriately licensed and/or certified Professional Facilities Services. This policy is an exception to Board Policy A-18. With respect to policy H-7, Professional Facilities Services, as herein described, shall include contracted support services in: Architecture, Landscape Architecture, Structural and Civil Engineering, Geotechnical Analysis, Water Quality Management, Handicapped Accessibility Design, Energy Conservation, Construction Project Management and/or Engineering, Environmental Assessment Services, Regulatory Compliance Services and those Real Estate consulting services related to the construction, demolition, expansion, improvement, and/or master planning of a county facility; or the purchase, sale or leasing of real property that will be used, occupied or owned by a county entity. H-7 does not cover direct performance of construction or repair activities.

It is the intent of this policy to implement and/or be consistent with the provisions of Board Policy A-69 "Best Practices in Contract Management", Board Policy B-11 "Award of Public Works Contracts Pertaining to County Facilities", Board Policy B-22 "Capital Improvement Program" and California Government Code Sections 25502.5(a) and 4525-4529.5 (Mini-Brooks Act). California Government Code Section 4525-4529.5 requires that Professional Facilities Services are engaged on the basis of demonstrated competence and qualifications for the types of services to be performed and at fair and reasonable prices to the County, and prohibits practices which might result in unlawful activity including, but not limited to, rebates, kickbacks, or other unlawful consideration, and shall specifically prohibit government agency employees from participating in the selection process when those employees have a relationship with a person or business entity seeking a contract under this section which would subject those employees to the prohibition of California Government Code Section 87100.

Department, agencies and districts, herein called "Authorized Entities", represented by an Agency Director, Department Head, Elected Official or General Manager, refer to those departments, agencies, and districts who may procure professional facilities services for the construction of public works projects as it relates to their specialized County mission, with the exclusion of real property acquisition. The Authorized Entities are: Regional Park and Open-Space District, Facilities Management (FM), Flood Control and Water Conservation District, Transportation and Land Management Agency (TLMA), Housing Authority, Sheriff's Department (RSD), and the



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Waste Management Department. These entities may also contract with Facilities Management for these services.

Professional services contracts for architectural, engineering, landscape design, geotechnical services, water quality management, construction project management, labor compliance, real estate, materials testing and inspection, environmental assessment, master planning, or other regulatory compliance services are not stand-alone capital projects. The costs for such services as well as the cost of the associated public works construction shall be combined and submitted together to determine the project value.

The following Professional Facilities Services selection procedures shall apply to all County departments, agencies and special districts created by the County. For environmental assessment services tied to the California Environmental Quality Act (CEQA) or similar County regulations, the County Planning Department shall maintain a list of qualified consultants, and be notified of environmental assessments prepared by other departments, agencies and districts within the County.

- I. Architectural, Engineering, Landscape Design, Geotechnical Services, Water Quality Management, Construction Project Management, Labor Compliance, Real Estate, Materials Testing and Inspection, Environmental Assessment or **Other Specialty Professional Services** – combined costs of professional services and associated capital improvement costs over \$100,000.
  - A. Pre-Approvals. For any new construction, expansion, improvement, and/or master planning of a county facility; or the purchase, sale or leasing of real property that will be used, occupied, or owned by a county entity that exceeds \$100,000 , the scope and funding plan for the project must be reviewed and approved by the County's Capital Improvement Program (CIP) Team, prior to or concurrent with "In-Principle Approval" of the project obtained from the Board of Supervisors in compliance with Board Policy B-22, Capital Improvement Program.
  - B. Professional services may be procured through two options:
    1. Professional services may be selected from a list of pre-qualified firms **pursuant to this policy** when the specialty or expertise is needed to meet the project's requirements and shall comply with the limits and contracting authority set forth in California Government Code 25502.5 and shall not exceed the estimated project budget authorized by the Board of Supervisors.

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2. Public notice of a **project-specific** Request for Qualification/Proposal (RFQ/RFP) may be given to procure professional services that exceed the limitations and contacting authority of California Government Code 25502.5. Such notice will include publication in a newspaper of general circulation within the County and may also be posted on the County web site. Direct requests to known professional service providers may also be made.

a. The Authorized Entity or designee shall appoint a Selection Committee consisting of at least three County employees knowledgeable in the field of work solicited by the Request for Qualifications/Proposals (RFQ/RFP) to review the written information submitted in response to the RFQ/RFP. Following review of written submission, the Selection Committee may also conduct interviews of qualified firms being considered for specific projects if determined appropriate.

b. The Selection Committee will review each firm's comparative qualifications and rank the firms based on their written response to the RFQ/RFP, in accordance with California Government Code 4525-4529.5. The Committee will combine the rankings from written RFQ/RFP proposal with the rankings from oral interview with the selection committee to develop the final ranking. A minimum of three firms should be chosen for interviews.

c. The Selection Committee will recommend selection of the most qualified firm based upon professional experience, qualifications in the work to be performed, including relative comparable experience, past experience in the County, demonstrated professional excellence, availability, capability and involvement of key personnel, excellence in cost control and scheduling, relative location of firm to project site, volume of recent and current work for the County, ability to perform the work within the established timeframe and any other criteria appropriate to specific project conditions.

d. When the Selection Committee recommendation is approved by the Authorized Entity, one of the following methods shall be used to make a final selection:

The highest ranked firm will be invited to negotiate fees for the Scope of Services. If such negotiations are not successful, the Authorized Entity may negotiate with the next most highly ranked firm or may reopen the RFP/RFQ process. If the top three (3) firms are equally qualified, the Authorized Entity may request bid proposals from all three of those firms and base selection on the most competitive bid.

SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



ITEM: 3.4  
(ID # 12017)

MEETING DATE:  
Tuesday, March 10, 2020

FROM : EXECUTIVE OFFICE:

SUBJECT: EXECUTIVE OFFICE: Board Policy Manual Update to Amend A-8, B-11, & H-7; All Districts. [\$0]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve revisions to the following Board Policies: A-8 Authorization of Facsimile and Digital Signatures; B-11 Award of Public Works Contracts Pertaining to County Facilities and Certain Other Improvements, and H-7 Selection of Architectural, Engineering and Real Estate Related Services; and,
2. Direct the Clerk of the Board to update the Board Policy website with the revised Board policies.

ACTION: Policy

Lisa O Brandl 3/3/2020

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MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Perez, seconded by Supervisor Hewitt and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Jeffries, Spiegel, Washington, Perez and Hewitt  
Nays: None  
Absent: None  
Date: March 10, 2020  
xc: EO, COB

Kecia R. Harper  
Clerk of the Board  
By:   
Deputy

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,  
STATE OF CALIFORNIA**

<b>FINANCIAL DATA</b>	<b>Current Fiscal Year:</b>	<b>Next Fiscal Year:</b>	<b>Total Cost:</b>	<b>Ongoing Cost</b>
<b>COST</b>	\$0	\$0	\$0	\$0
<b>NET COUNTY COST</b>	\$0	\$0	\$0	\$0
<b>SOURCE OF FUNDS:</b>			<b>Budget Adjustment: No</b>	
			<b>For Fiscal Year: 19/20</b>	

**C.E.O. RECOMMENDATION:** Approve

**BACKGROUND:**

**Summary**

The Executive Office and County Counsel are in the process of comprehensively reviewing and updating the Board of Supervisors Policy Manual. Staff has consulted with County Counsel for consistency of board policies with current laws, regulations and ordinances. The proposed revisions shown above are part of a comprehensive update to the Board Policy Manual. As review of the current policies proceeds, staff will periodically bring forward specific revisions to the Board of Supervisors for approval in order to align current County operations with the Board Policy Manual.

On Tuesday January 28 Item 3.7 the Board of Supervisors directed the Executive Office to amend Board Policies H-7, Selection of Architectural and Real Estate Related Services, and B-11, Award of Public Works Contracts Pertaining to County Facilities and Certain Other Improvements to allow the Sheriff's Department as an authorized entity under specific circumstances, and return to the Board with amendments to the policies.

This F11 is seeking approval of the amended Board Policies:

- **H-7, Selection of Architectural and Real Estate Related Services and,**
- **B-11, Award of Public Works Contracts Pertaining to County Facilities and Certain Other Improvements**

These policies were amended to include the Sheriff's Department as an authorized entity to procure professional facilities services for the construction of public works projects as it relates to their specialized County mission, or real property acquisition. The Economic Development Agency has been replaced by Facilities Management within the policy.

**A-8 Authorization of Facsimile and Digital Signatures**

Due to available technology, communications, agreements and other documents are frequently composed and executed within an electronic system to improve County efficiencies. This policy was amended to provide procedures and a guideline to departments using the facsimile or digital signatures.

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,  
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**ATTACHMENTS:  
Final Version B-11  
Final Version H-7  
Redline B-11  
Redline H-7  
Final Version A-8**

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A. Each Authorized Entity will have the authority to sign contracts for amounts up to \$2,500, except where additional authority level was delegated by separate Board action, subject to approval as to form by County Counsel. Signed contracts shall then be submitted to the respective purchasing agent/fiscal staff to process a Purchase Order. The Purchase Request should specifically indicate that the selection and negotiation procedures of this Board Policy have been followed.

1. Where the combined costs for professional services contracts and associated improvements less than \$100,000 do not require specific Board action, the Authorized Entity may choose to direct the award through the County Purchasing Department in lieu of Board approval. If that option is chosen, a Purchase Request with contract, approved as to form by County Counsel, will be submitted to the Purchasing Department. The Purchasing Request should specifically indicate that the selection and negotiation procedures of this Board Policy have been followed.
2. Where additional general fund support, herein called "new net county cost", is identified as the proposed source of funds for any portion of the professional services contracts and/or associated capital improvement project, the selection procedures and negotiations listed in this policy shall apply prior to award of contract.

IV. Documentation and Maintenance of Professional Services Contracts – Documentation related to the selection process, fee negotiations and management of the consultant contract will be maintained by the initiating department for five years after completion of the performance period. Documentation should be sufficient to provide clear indication of why a firm was selected and on what basis the fee was established.

Reference:

Minute Order 6.7 of 03/21/78  
Minute Order 6.5 of 11/03/81  
Minute Order 3.20 of 07/11/89  
Minute Order 3.11 of 11/30/04  
Minute Order 3.4 of 12/18/07  
Minute Order 3-5 of 07/02/13  
Minute Order 3-9 of 12/08/15  
Minute Order x.x of xx/xx/xxxx

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2. Where additional general fund support, herein called "new net county cost", is identified as the proposed source of funds for any portion of the professional services contracts and/or associated capital improvement project, the selection procedures and negotiations listed in this policy shall apply prior to award of contract.

IV. Documentation and Maintenance of Professional Services Contracts – Documentation related to the selection process, fee negotiations and management of the consultant contract will be maintained by the initiating department for five years after completion of the performance period. Documentation should be sufficient to provide clear indication of why a firm was selected and on what basis the fee was established.

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Minute Order 3-9 of 12/08/15  
Minute Order x.x of xx/xx/xxxx

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Waste Management Department. These entities may also contract with ~~the Economic Development Agency/Facilities Management~~ for these services.

Professional services contracts for architectural, engineering, landscape design, geotechnical services, water quality management, construction project management, labor compliance, real estate, materials testing and inspection, environmental assessment, master planning, or other regulatory compliance services are not stand-alone capital projects. The costs for such services as well as the cost of the associated public works construction shall be combined and submitted together to determine the project value.

The following Professional Facilities Services selection procedures shall apply to all County departments, agencies and special districts created by the County. For environmental assessment services tied to the California Environmental Quality Act (CEQA) or similar County regulations, the County Planning Department shall maintain a list of qualified consultants, and be notified of environmental assessments prepared by other departments, agencies and districts within the County.

- I. Architectural, Engineering, Landscape Design, Geotechnical Services, Water Quality Management, Construction Project Management, Labor Compliance, Real Estate, Materials Testing and Inspection, Environmental Assessment or **Other Specialty Professional Services** – combined costs of professional services and associated capital improvement costs over \$100,000.
  - A. Pre-Approvals. For any new construction, expansion, improvement, and/or master planning of a county facility; or the purchase, sale or leasing of real property that will be used, occupied, or owned by a county entity that exceeds \$100,000 , the scope and funding plan for the project must be reviewed and approved by the County's Capital Improvement Program (CIP) Team, prior to or concurrent with "In-Principle Approval" of the project obtained from the Board of Supervisors in compliance with Board Policy B-22, Capital Improvement Program.
  - B. Professional services may be procured through two options:
    1. Professional services may be selected from a list of pre-qualified firms **pursuant to this policy** when the specialty or expertise is needed to meet the project's requirements and shall comply with the limits and contracting authority set forth in California Government Code 25502.5 and shall not exceed the estimated project budget authorized by the Board of Supervisors.



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2. Public notice of a **project-specific** Request for Qualification/Proposal (RFQ/RFP) may be given to procure professional services that exceed the limitations and contacting authority of California Government Code 25502.5. Such notice will include publication in a newspaper of general circulation within the County and may also be posted on the County web site. Direct requests to known professional service providers may also be made.

a. The Authorized Entity or designee shall appoint a Selection Committee consisting of at least three County employees knowledgeable in the field of work solicited by the Request for Qualifications/Proposals (RFQ/RFP) to review the written information submitted in response to the RFQ/RFP. Following review of written submission, the Selection Committee may also conduct interviews of qualified firms being considered for specific projects if determined appropriate.

b. The Selection Committee will review each firm's comparative qualifications and rank the firms based on their written response to the RFQ/RFP, in accordance with California Government Code 4525-4529.5. The Committee will combine the rankings from written RFQ/RFP proposal with the rankings from oral interview with the selection committee to develop the final ranking. A minimum of three firms should be chosen for interviews.

c. The Selection Committee will recommend selection of the most qualified firm based upon professional experience, qualifications in the work to be performed, including relative comparable experience, past experience in the County, demonstrated professional excellence, availability, capability and involvement of key personnel, excellence in cost control and scheduling, relative location of firm to project site, volume of recent and current work for the County, ability to perform the work within the established timeframe and any other criteria appropriate to specific project conditions.

d. When the Selection Committee recommendation is approved by the Authorized Entity, one of the following methods shall be used to make a final selection:

The highest ranked firm will be invited to negotiate fees for the Scope of Services. If such negotiations are not successful, the Authorized Entity may negotiate with the next most highly ranked firm or may reopen the RFP/RFQ process. If the top three (3) firms are equally qualified, the Authorized Entity may request bid proposals from all three of those firms and base selection on the most competitive bid.

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II. Architectural, Engineering, Landscape Design, Geotechnical, Water Quality Management, Construction Project Management, Real Estate, Environmental Assessment or Other Specialty Professional Services – combined costs of professional facilities services and associated capital improvements under \$100,000 in any calendar year.

A. For combined costs of professional facilities services and associated capital improvements under \$100,000, a group of pre-qualified firms may be established by authorized Entities. Public notice for selection of this group will be given. Such notice will include publication in a newspaper of general circulation within the County and may also be posted on the County web site. The pre-qualified group shall have a valid term of up to three years. The selection procedure will reoccur at least every three years to allow all interested firms to participate. Additional firms may be added to the pre-qualified list as needed using the same processes as used initially. The three-year period allows authorized departments to have a reliable core of firms ready to provide Professional Facilities Services without the use of project specific RFP/RFQ's. Fees will be negotiated with a single firm selected from the Pre-qualified list of venders for the project services required. Performance of the firms on the qualified list shall be reviewed at the end of each project, but at least annually to determine whether the firm shall remain on the list. Authorized Entity may remove pre-qualified firms at their sole discretion based on performance or changed business conditions. The qualifications of the pre-qualified group will be based on the following election process:

1. Each Authorized Entity or designee shall appoint a Selection Committee consisting of at least three County employees knowledgeable in the field of work solicited by the RFQ/RFP for the information submitted in response to the Request for Qualifications (RFQ/RFP). The Committee may conduct interviews of qualified firms for consideration if deemed appropriate.
2. The Committee will review each firm's comparative qualifications and determine if they meet minimum standards based on their response to the RFQ/RFP, in accordance with California Government Code 4525-4529.5. A minimum of three firms should be chosen for interviews. The Committee will combine the rankings from the written proposal with the rankings from the oral interviews to develop the list. The committee will rank the firms based upon professional experience, qualifications in the work to be performed, including relative project experience, demonstrated design excellence, capability and involvement of key personnel, excellence in cost control and

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scheduling, relative location of firm to project site, volume of recent and current work for the County, ability to perform the work within the

established timeframe and any other criteria appropriate to the general type of projects that will be considered over the length of the service. At a minimum the top three ranked firms will be selected as the approved qualified group. All selected firms shall be provided with written notice of their selection.

3. Following the above selection procedures, Authorized Entities must collectively or independently seek Board of Supervisor approval for their selected pool of firms. Fees for specific tasks may then be negotiated on a rotating basis with the firms on the qualified list as projects become available. Combined costs for professional facilities services contracts and associated capital improvements for individual projects must be less than \$100,000 with a cap of \$100,000 during any fiscal year. Firms will be retained on a rotating basis for the negotiated services including, but not limited to, agreement on the scope of work, terms, conditions, and fees.
  4. For environmental assessment services, excluding hazardous materials assessments routinely performed as part of real estate acquisition or disposal (Phase I, Phase II), the County Planning Department shall maintain a pre-qualified list of consultants and shall be notified of environmental assessments and/or environmental impact reports prepared by other County departments, agencies and districts.
  5. Each Authorized Entity will have the authority to sign contracts for amounts up to \$2,500 under this policy, except where additional authority level was delegated by separate Board action, subject to approval as to form by County Counsel. Signed contracts shall then be submitted to the respective purchasing agent/fiscal staff to process a Purchase Order. The Purchase Request should specifically indicate that the selection and negotiation procedures of this Board Policy have been followed. Awards for other than low bid over \$2,500, must have Board approval.
  6. Firms on the pre-qualified list of firms shall be rotated on a regular basis.
- B. Real Estate Related Services – Real Estate Consulting Services include by illustration: appraisal work, condemnation actions, space planning, land surveys, hazardous materials studies and remediation and record reviews, relocation assistance, real estate legal services, title reviews, title insurance, escrow services, project management and market and feasibility studies. Proposals shall

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be obtained from qualified providers for the work to be performed based on professional experience and qualifications for the nature of the work and ability to

perform. Fees will be established through negotiations for each prospective project. If requested by an Authorized Entity, the ~~Economic Development Agency~~ Facilities Management Department will make the selection and negotiate the terms of the Services Contract for the department, subject to each Authorized Entity's approval. To facilitate the procurement of real estate related services, the Authorized Entities will proceed as follows:

1. Quotations will be obtained from qualified service providers listing their professional experience, qualifications, and ability to perform.
  2. The Authorized Entities will select and establish a list of service providers based on criteria set forth above. Authorized Entities shall be allowed to contract with these service providers under said contract with negotiated fees for an amount not to exceed \$100,000 per project, during any fiscal year. The Authorized Entities shall review the qualifications of the selected service providers once a year and make changes as necessary.
- C. Should the combined costs of professional facilities services and associated capital improvement exceed \$100,000 limit for a project after the professional facilities services contract is awarded, or should the above list created by the Authorized Entity not provide the expertise needed for the project, the selection procedures shall then proceed with the following procedures:
- The revised scope and funding plan for the project must be reviewed and approved by the Capital Improvement Program Team prior to additional professional services contract award. In addition, concurrence from the department requesting the project must be obtained.
- D. Where additional general fund support, herein called "new net county cost" is identified as the proposed source of funds for any portion of the professional services contracts and/or associated capital improvement, the selection procedures in this policy apply.

III. Contract Award of Professional Services Agreements – Architectural, Engineering, Landscape Design, Geotechnical, Water Quality Management, Construction Project Management, Real Estate, Environmental Assessment or Other Specialty Professional Services.

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1. Where the combined costs for professional services contracts and associated improvements less than \$100,000 do not require specific Board action, the Authorized Entity may choose to direct the award through the County Purchasing Department in lieu of Board approval. If that option is chosen, a Purchase Request with contract, approved as to form by County Counsel, will be submitted to the Purchasing Department. The Purchasing Request should specifically indicate that the selection and negotiation procedures of this Board Policy have been followed.
  2. Where additional general fund support, herein called "new net county cost", is identified as the proposed source of funds for any portion of the professional services contracts and/or associated capital improvement project, the selection procedures and negotiations listed in this policy shall apply prior to award of contract.

IV. Documentation and Maintenance of Professional Services Contracts – Documentation related to the selection process, fee negotiations and management of the consultant contract will be maintained by the initiating department for five years after completion of the performance period. Documentation should be sufficient to provide clear indication of why a firm was selected and on what basis the fee was established.

Reference:

Minute Order 6.7 of 03/21/78  
Minute Order 6.5 of 11/03/81  
Minute Order 3.20 of 07/11/89  
Minute Order 3.11 of 11/30/04  
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Minute Order 3-5 of 07/02/13  
Minute Order 3-9 of 12/08/15  
Minute Order x.x of xx/xx/xxxx

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<b>AUTHORIZATION OF FACSIMILE AND DIGITAL SIGNATURES</b>	<b>A-8</b>	<b>1 of 3</b>

**POLICY:**

The Board of Supervisors recognizes that, due to available technology, communications, agreements and other documents are frequently composed and executed within an electronic system. In order to utilize the available technologies to improve County efficiencies the Board of Supervisors hereby establishes the following procedures for the use of digital signatures:

**I. USE OF FACSIMILE SIGNATURE**

The use of a facsimile signature of the Chairperson of the Board is authorized for use on all copies of resolutions, orders, ordinances, letters, contracts, minutes, and records of this Board, upon which the chairperson has been authorized, empowered or instructed to sign by order or resolution of the Board, or by ordinance or statute. The chairperson may delegate the affixing of his/her facsimile signature or digital signature to the Clerk of the Board of Supervisors or his/her duly qualified deputies, by executing a document approved as to form by the County Counsel reciting the delegation and setting forth what shall be considered his/her signature.

**II. DIGITAL OR ELECTRONIC SIGNATURES**

**1. DEFINITIONS**

- A. **Electronic signature** means an electronic sound, symbol, or process attached to or logically associated with an electronic record and executed or adopted by a person with the intent to sign the electronic record. The Uniform Electronic Transaction Act (UETA) authorizes use of an electronic signature for transactions and contracts among parties in California, including a government agency. (Cal. Civ. Code §1633.1-1633.17)
- B. **Digital signature** means an electronic identifier, created by computer, intended by the party using it to have the same force and effect as the use of a manual signature. For purposes of this section, a digital signature is a type of "electronic signature" as defined in subdivision (i) of Section 1633.2 of the Civil Code.

**2. DIGITAL SIGNATURES**

The Uniform Electronic Transaction Act (UETA) authorizes use of an electronic signature for transactions and contracts among parties in California, including a government agency, when both parties agree to its use. (Cal. Civ. Code Section 1633.1 – 1633.17). The electronic signature must be supported by evidence that the signature is the act of the intended person. An agreement executed with an electronic signature has the same legal enforceability as a wet signature, subject to documents that are exempt.

A digital signature is a type of electronic signature with strict security requirements that may be used to execute certain written communications and agreements with the County if it satisfies the requirements found in Cal. Gov. Code § 16.5, et. seq. and Title 2, division 7 Chapter 10 of the California Code of Regulations. (2 CCR §22000-22005)

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The signatures must be:

1. Unique to the person using it;
2. Capable of verification;
3. Under the sole control of the person using it; and
4. Must be linked to the data in such a way that if the data is changed the signature will be invalidated.

**III. PROCEDURES FOR USE OF ELECTRONIC OR DIGITAL SIGNATURES**

**A. System Approval:**

B. The system used for the creation of the electronic signature must be approved by County of Riverside Technology Standards Oversight Committee (TSOC) and in accordance with state law.

- Express Agreement: When the parties to an agreement desire to use electronic signatures for executing the agreement, a term shall be included in the agreement to memorialize the use of electronic signatures for the agreement. Absent such terms in an agreement, the agreement must have a wet signature.

C. **Submission for Approval and Execution:** Once the electronic agreement is complete and has been digitally signed by the duly authorized representative of the other parties, it may be submitted for execution by the Board of Supervisors or the individual who has the delegated authority to bind the County for that contract type.

D. **Retention:** The executed electronic agreement must be maintained pursuant to the Board Policy A-43, or statute within a County approved secure retention process. The secure method of retention of the final agreement must lock the document, preventing any changes to the final executed agreement.

**IV. CHANGE OR ERROR IN ELECTRONIC RECORD**

If a change is needed or an error is being corrected within the electronic record of the fully executed agreement, those actions will comply with the requirements of Cal. Civ.Code § 1633.10 or will be addressed through a contract amendment.

**V. EXEMPTIONS**

Electronic signatures may not be used in all situations. Documents that may not be completed using electronic signature include, but are not limited to:

1. Laws governing the creation and execution of wills, codicils, or testamentary trusts;
2. Certain transactions governed by the Uniform Commercial Code; laws requiring specifically that identifiable text or disclosures in a record or portion of a record be separately signed, including initialed, from the record; and
3. Certain transactions governed by the Business and Professions Code. (Cal. Civ. Code § 1633.3)

A list of documents that may not be signed with an electronic or digital signature pursuant to statute is incorporated herein and Attachment I

**COUNTY OF RIVERSIDE, CALIFORNIA  
BOARD OF SUPERVISORS POLICY**

<b><u>Subject:</u></b>	<b><u>Number</u></b>	<b><u>Page</u></b>
<b>AUTHORIZATION OF FACSIMILE AND DIGITAL SIGNATURES</b>	<b>A-8</b>	<b>3 of 3</b>

**ATTACHMENT:**  
Attachment I – List of Excluded Documents

**Reference:**  
Minute Order dated 12/21/1971  
Minute Order dated 04/24/1990  
Minute Order 3.7 of 11/07/2006  
Minute Order \_\_\_\_\_ of xx/xx/2020



**COUNTY OF RIVERSIDE, CALIFORNIA**  
**BOARD OF SUPERVISORS POLICY**

**ATTACHMENT I**  
**TO BOARD POLICY A-8**

**LIST OF EXCLUDED DOCUMENTS**

1. Civil Code
  - a. Creation and execution of wills, codicils, or testamentary trusts (Civil Code § 1633.3(b)(1).)
  - a. Documentation required for the foreclosure of a mortgage or deed of trust (Civil Code, §§ 2924b, 2924c, 2924f, 2924i, 2924j, 2924.3, and 2937.)
  - b. When a law requires that specifically identifiable text or disclosures must be signed or initialed separately. (Civil Code § 1633.3(b)(4).)
  - c. Requests to obtain medical information (Civil Code § 56.11.)
  - d. Genetic test results (Civil Code § 56.17.)
  - e. Notices related to the Mobile home Residency Law (Civil Code § 798.14.)
  - f. Notice of Blanket Encumbrance on Real Property (Civil Code § 1133.)
  - g. Statement of Defects in a transfer of real property (Civil Code § 1134.)
  - h. Cancellation or Rescission of a home solicitation contract or offer (Civil Code §§ 1689.6, 1689.7, 1689.13.)
  - i. Home Equity Sales Contracts (Civil Code § 1695.)
  - j. Debit or credit obligations (Civil Code § 1720.)
  - k. Consumer Credit Reporting Agencies documents (Civil Code §§ 1785.15, 1789.14, 1789.16, or 1793.23.)
  - l. Retail Installment Contracts (Civil Code § 1801 et seq.)
  - m. Notices for sales from non-payment of judgement or unclaimed property (Civil Code §§ 1861.24, 1862.5.)
  - n. Loans (Civil Code §§ 1917.712, 1917.713.)
  - o. Rental applications with credit reports and notices (Civil Code §§ 1950.6, 1983.)
  - p. Liens on Vehicles (Civil Code § 3017.5.)
  - q. Common Interest Developments (Civil Code § 4000.)
  - r. Commercial and Industrial Common Interest Developments (Civil Code § 6500.)
2. Uniform Commercial Code: Documents described in Division 1, 3, 4, 5, 8, 9, and 11 of the Uniform Commercial Code.
  - a. Transactions subject the General Provisions, Division 1 of the UCC commencing with § 1101
  - b. Negotiable Instruments subject to Division 3 of the UCC commencing with § 3101
  - c. Bank Deposits and Collections subject to Division 4 of the UCC commencing with § 4101
  - d. Letters of Credit subject to Division 5 of the UCC commencing with § 5101
  - e. Investment Securities subject to Division 8 of the UCC commencing with § 8101

**COUNTY OF RIVERSIDE, CALIFORNIA**  
**BOARD OF SUPERVISORS POLICY**

- f. Secured Transactions subject to Division 9 of the UCC commencing with § 9101
  - g. Funds Transfers subject to Division 11 of the UCC commencing with § 11101
3. Telephone solicitation (Business and Professions Code §17511.5.)
  4. Financial Code
    - a. Certain Provisions of Premium Finance Agreements/ right to cancel (Financial Code § 18608 (b).)
    - b. Liens on moto vehicles and disposition of repossessed vehicles (Financial Code §22328.)
  5. Health Care Service Plan documents (Health and Safety Code §§ 1358.15, 1365, 1368.01, 1368.1, 1371, 18035.5.)
  6. Individual and group disability policies (Insurance Code §786.)
  7. Termination of utility service for nonpayment. (Public Utilities Code §§ 779.1, 10009.1, 10010.1, 12823.1, 16482.1.)
  8. Brokering agreements for manufacturers, transporters and dealers of vehicles (Vehicle Code §11738.)
  9. Any notice that is required to be sent when obtaining possession of Real Property (Code of Civil Procedure §1162.)