

Trinity Center Community Services District
Policy Manual

Policy Title: Agreements between TCCSD and other entities

Policy Number: 105

Date: July 7, 2009

- 105.10 Types of Agreements
 - 105.101 The Trinity Center Community Services District (TCCSD) may, for various purposes, enter into agreements with other organizations or individuals.
 - 105.102 Agreements may be for services, products or to establish long term relationships that will be beneficial to the District. Agreements may or may not include payments to or from the District.
 - 105.103 Agreements may take many forms. They include contracts where services are provided for compensation or other considerations, Joint Working Relationships where services are exchanged and/or provided jointly or they may be Memorandums of Understanding to establish current and future organizational relationships.

- 105.20 Authority to enter into Agreements
 - 105.201 Agreements may be entered into only after the Board of Directors has deliberated the need and terms of the agreement in a public meeting and a majority of the Directors (at least three) vote affirmatively. Individual Directors may not enter the District into agreements without public discussion and a Board decision. The Chairman, Vice Chairman or a designated Director of the Board may sign agreements with the above board consent.
 - 105.202 Termination of ongoing Agreements may be executed only after the Board of Directors has deliberated the reasons for termination in a public meeting and a majority of the Directors (at least three) vote for the termination.

- 105.30 Terms and Conditions
 - 105.301 Prior to entering any agreement the Scope, Cost and Terms and Conditions must be fully understood. The scope must be finite and clearly documented. Payment terms must be defined and should be directly related to the execution of scope. These elements (Scope, Cost, and Ts & Cs) will be presented to the Board of Directors and available to the public prior to their discussion in a public meeting.
 - 105.302 All contracts obligating the CSD to more than \$10000 will have a competitive bid process where multiple providers are allowed to bid on the contract scope allowing the CSD to select the best value provider. Value determination may include cost as well as offered products and services. Lowest cost is not always best value. Preference will be given to local providers assuming other

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considerations in the bid are approximately equivalent. Project scope may not be divided into smaller pieces (contract splitting) to avoid the competitive bid provision. Notice for Request for Bid will be posted at least 20 days in advance of selection in at least three public places locally.

105.303 Termination of ongoing Agreements may be executed only after the Board of Directors has deliberated the reasons for termination in a public meeting and a majority of the Directors (at least three) vote for the termination.

105.40 Project Management

105.401 All contract agreements entered into by the Board where significant scope and/or cost are involved will have a Project Manager assigned. The Project Manager may be a Director or employee of the District. In some circumstances an individual who is not a Director or employee may be assigned if they have the required expertise and are willing to assume the responsibility.

105.402 The Project Manager will coordinate planning efforts and present plans to the board. Once a project plan is approved by the board, the Project Manager has authority to proceed with the defined scope and to make decisions to implement the approved plan. The Project Manager may also make changes to the approved plan during construction in so far as those changes do not substantially change the approved product/outcome. All such changes will be reported to the board at the following CSD meeting.

105.403 The Project Manager will monitor work accomplished as well as expenses and commitments to assure that the agreed upon work is accomplished and that the total cost to the District will not exceed the approved level. All increases to scope or cost must be approved by the Board prior to incurring the added cost. In exception to this, if the Project Manager is a Director, he or she may make decisions increasing the cost within the Directors authorized individual authority (Policy 108), but the cumulative amount per reporting period (between CSD meetings) shall not exceed the individual authority amount.

105.404 The Project Manager will update the Board on project progress at regular, public CSD meetings. He or she will request a special CSD meeting if needed to review critical aspects of the project or to change agreement scope, cost or terms and conditions.