

**BOARD OF DIRECTORS
SANTA CLARA VALLEY WATER DISTRICT**

ORDINANCE NO. 23-03

**DIRECTING THE ESTABLISHMENT OF PROCEDURES FOR THE SMALL
BUSINESS ENTERPRISE OUTREACH PROGRAM POLICY
FOR THE CONTRACTING OF CONSTRUCTION**

WHEREAS, Santa Clara Valley Water District (Valley Water) is a local government agency that may adopt methods and procedures for facilitating contract awards to small businesses for construction in accordance with Public Contract Code Section 2002; and

WHEREAS, Valley Water encourages and promotes the use of small businesses in the contracting of construction in accordance with the Board of Director's (Board) governance policies and executive limitations that promote values that support equal opportunity, fairness, diversity, and reinvestment of Valley Water resources in its service and benefit to the community; and

WHEREAS, the Board received and considered proposed SBE policy updates at its regularly scheduled meeting on September 26, 2023 that included an agenda memo and proposed ordinances presented by Valley Water's staff; and

WHEREAS, Santa Clara Valley Water District now desires to establish a Small Business Outreach Program Policy which includes a small business preference to ensure maximum participation of small business firms in the contracting of construction.

NOW, THEREFORE BE IT RESOLVED that the Board of Directors of the Santa Clara Valley Water District does hereby ordain as follows:

Section 1: That the policies contained in the agenda memo presented to and considered by the Board are adopted by the Board, and the Board directs that said policies shall be incorporated into a Small Business Enterprise Outreach Program Policy guidelines and all other relevant administrative policies and procedures to ensure maximum participation of Small Business Enterprise firms in the competitive bidding process for construction contracts.

Section 2: The Chief Executive Officer is authorized to administratively implement statutorily mandated changes to the Small Business Enterprise Outreach Program Policy.

Section 3: This ordinance is adopted pursuant to the authority of Public Contract Code Section 2002 and is not intended to carry the criminal penalties associated with ordinances adopted pursuant to Section 9 of the District Act.

Directing the Establishment of Procedures for the Small Business Enterprise Outreach Program
Policy for the Contracting of Construction Ordinance No. 23-03

PASSED AND ADOPTED by the Board of Directors of the Santa Clara Valley Water District by the following vote on September 26, 2023:

AYES: Directors: Estremera, Santos, Beall, Eisenberg, Hsueh, Keegan, Varela

NOES: Directors: None

ABSENT: Directors: None

ABSTAIN: Directors: None

SANTA CLARA VALLEY WATER DISTRICT

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JOHN L. VARELA
Chair, Board of Directors

ATTEST: MICHELE L. KING, CMC

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Clerk, Board of Directors