

MOUNTAIN GREEN SEWER IMPROVEMENT DISTRICT

5455 West Old Highway Road
Mountain Green, UT 84050
801-876-3416 / Fax 801-876-3558

RESOLUTION 150805

**ADOPTION OF PROCUREMENT AND PURCHASING POLICY AND PROCEDURES
Dated August 5, 2015**

WHEREAS, the Utah Procurement Code has been recodified in Title 63G Chapter 6a of the Utah Code;

WHEREAS, Utah Code Ann. § 63G-6a-104(1)(1) declares: "'Applicable rulemaking authority' means: ... as it relates to a local district or a special service district: (i) before January 1, 2015, the board of trustees of the local district or the governing body of the special service district; or (ii) on or after January 1, 2015, the [Utah State Procurement Policy] board, except to the extent that the board of trustees of the local district or the governing body of the special service district makes its own rules: (A) with respect to a subject addressed by board rules; or (B) that are in addition to board rules;"

WHEREAS, the governing body of the Mountain Green Sewer Improvement District (MGSID) desires to continue to be the applicable rulemaking authority for the District by adopting complete, comprehensive purchasing rules;

WHEREAS, the Utah Association of Special Districts ("UASD"), of which the District is a member, has prepared a comprehensive document entitled "Purchasing Policy and Procedures" (the "UASD Purchasing Policy"), which will be updated from time-to-time and may be found on the UASD website; and

WHEREAS, the governing body of MGSID desires to adopt the UASD Purchasing Policy, as it may exist from time-to-time, as the comprehensive Purchasing Policy of the District.

NOW, THEREFORE, be it resolved by the governing body of the District as follows:

1. That the UASD Purchasing Policy, as constituted from time-to-time on the UASD website, shall be and is the official Purchasing Policy of the District, automatically including future amendments and modifications made by UASD to the UASD Purchasing Policy and that, subject to paragraph 2 below, the entire UASD Purchasing Policy, as it may exist from time-to-time, is adopted by reference as the District's rules respecting procurements of every type and description.

2. The UASD Purchasing Policy, as the official purchasing rules of the District, shall be and hereby is amended and modified as follows:
 - A) Page 1, Item I, BACGROUND, A. Policy: This shall be known as the Mountain Green Sewer Improvement District Procurement and Purchasing Policies and Procedures.
 - B) Page 2, Item II, DEFINITIONS, C. Procurement Officer: The Manager shall be the District's "Procurement Officer" and....
 - C) Page 5, Item III, GENERAL PROVISIONS, B. Approval of Purchases: Except as otherwise provided in this Policy, the Board must approve all expenditures of the District over \$2,000 and the Procurement Officer may make any necessary purchased under \$2,000 without Board approval....
3. Except as otherwise provided in paragraph 2 above, that any prior purchasing rules and/or regulations and any other enactments of the District in conflict with the UASD Purchasing Policy shall be and hereby are repealed.
4. That the UASD Purchasing Policy has been divided into sections, subsections, paragraphs and clauses for convenience only, and the interpretation of the Purchasing Policy shall not be affected by such division or by any heading contained therein.
5. That, if any section, subsection, paragraph, clause or phrase of the UASD Purchasing Policy, as it may exist from time-to-time, should be declared invalid for any reason, such decision shall not affect the remaining portions of the Purchasing Policy which, except as otherwise specifically stated herein, shall remain in full force and effect as the District's comprehensive purchasing rules. For this purpose, the provisions of the UASD Purchasing Policy are declared to be severable.
6. That this Resolution shall take effect immediately upon its passage, with the District's new Purchasing Policy to be effective immediately.

Passed and approved by the governing body of MGSID this 5th day of August, 2015.

Robert Volk, Manager

Attest: Janet Boudrero, Secretary