

# SOUTHEASTERN ECONOMIC DEVELOPMENT CORPORATION

## CORPORATE POLICY 4.04

### REAL ESTATE ACQUISITION POLICY

Chapter: 4.0 – Purchasing & Contracting Policies

Section: 4.04 – Real Estate Acquisition Policy

Effective Date: April 1, 2011

#### 1.0 PURPOSE

1.1 To establish a policy governing the acquisition of real estate for the CORPORATION.

#### 2.0 EFFECTIVE DATE AND AMENDMENTS

2.1 This Policy shall be effective upon the approval by the BOARD and AGENCY BOARD.

This Policy may only be amended by the approval of the BOARD and AGENCY BOARD.

#### 3.0 PROCEDURES

3.1 The President or his/her designee is authorized to establish and disseminate administrative procedures to implement this BOARD POLICY, as applicable.

#### 4.0 POLICY

4.1 The PRESIDENT or his/her designee shall be responsible for following all policies required by (1) the current best practices, including competitive bidding requirements under the California Public Contract Code, (2) the OPERATING AGREEMENT and BYLAWS, (3) APPROVED CORPORATION and PROJECT BUDGETS, and (4) other applicable California State and Redevelopment laws when acquiring real estate.

4.2 The PRESIDENT or his/her designee shall oversee the day-to-day implementation of the real estate acquisition policy, and supervise and provide guidance to the CORPORATION's department leaders and staff with respect to the real estate acquisition policy by developing a real estate acquisition procedure.

4.3 The BOARD shall review annually the real estate acquisition policy to determine whether legal or other requirements warrant any amendments thereto.

4.4 When real estate is to be acquired, the acquiring manager shall proceed as follows:

4.4.1 Consistent with the monetary thresholds of the other purchasing policies, all real estate acquisitions less than \$250,000 in any given fiscal year shall require approval by the BOARD prior to execution. All real estate acquisitions more than \$250,000 in any given fiscal year shall require approval by the AGENCY prior to execution.

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4.4.2 All purchase orders shall be for goods and services in amounts consistent with the approved annual budget of the CORPORATION.

4.5 SOLE SOURCE - In an effort to procure supplies, materials and equipment for the CORPORATION, situations may arise that require "Sole Source" procurement, where additional bids, although required by CORPORATION policy and state or local law, cannot be obtained. In an effort to reduce costs, adhere to audit requirements, and comply with state or local law, all Sole Source purchases shall be in accordance with this Board Policy. Final determination as to what may be classified as "Sole Source" shall be at the discretion of the PRESIDENT. The purchase of supplies, materials and equipment can be deemed "Sole Source" for any of the following reasons:

4.5.1 Timing

4.5.2 Budget

4.5.3 Uniqueness

4.5.4 Resource constraints